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JTTA REVIEW.

lo CLXIII.

ONTENTS.

CRITICAL NOTICES :—

THE
CALCUTTA REVIEW.

NO. CLXIII.

ART I—MISSIONARIES AT THE MOGHUL COURT; IN SOUTHERN AND IN PORTUGUESE INDIA, DURING THE REIGN OF AKBAR AND AFTER IT

THE Jesuits were indebted for their admission to the Court of the Emperor Akbar as much to their peculiarly conciliatory policy as to his lax opinions according to which he deemed all religions to be equally good The system of the old Jesuits was, not to shock oriental rites, but to conserve them, to introduce Christian dogmas among them and to allow to their converts the retention of caste when they were Hindus as well as various ceremonies Of Moslem conversions however, we possess very little evidence, whilst those effected among Hindus in Southern India were considerable apart from those which took place under Government patronage in the Portuguese possessions, it must, however, be observed that the St Thomas Christians of the south were not actually converts, but only induced to acknowledge the supremacy of the Pope, as will appear further on

When Akbar established A D 1575 in the 19th year of his reign, at the Fathpur Sikri prayer house which was in reality *more like a debating club where disputations by members of* all known religions took place, Christian missionaries are not specially mentioned as having been present although a sample of a dialogue between a Musalman and a Christian, held there is given in the Dabistan*, but the following allusions are made

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* Calcutta typographed edition of 1809 p ۲۱۹ and Transactions of the Bombay Literary Society vol. I p 23, new and p 31 old edition in the "Notice respecting the religion introduced into India by the Emperor Akbar"

to clergymen, two years after the above mentioned date by Al-Badaoni in his *Muntakhab-uttovárikh* :—" Distinguished scholars " from Europe, called Padris—and their perfect Mujtahid who " can alter laws in obedience to the exigencies of the times, but " whose orders not even a king can transgress, is called Pápá— " brought the Gospel, demonstrated the doctrine of the Trinity, " established the truth of Christianity, and the emperor made " the religion of Jesus current, and ordered the Prince Morad " to take several lessons in it for good luck. Sheikh Abul-" Fazl was ordered to translate it [the Gospel ?] and instead " of the *Bismillah* [with which every Moslem book commences] it contained the following verse.

" O Thou whose name Jesus Christ we call,

" Namely : O thou whose name is very kind, and very " beneficent. To which Sheikh Fayzi added the second hemistich :—

" Praise to thee ! Only one ! From us all !

" These accursed fellows [priests ?] applied the description " and epithets of the accursed Antichrist to his Lordship the " best of prophets, the blessing of God be on him and upon " his family peace, in spite of the followers of Antichrist *"

That father Montserrat, S. J., was giving lessons to the above mentioned second son of Akbar, is also stated by father Acquaviva, S. J., as will appear further on, although he calls him *Fahari*, which was probably a mere nickname of the Prince ; the celebrated Italian traveller Pietro della Valle calls the second son of Akbar *Pehari* but states that his surname was *Murad.* †

No Muhammadan authors assert that Akbar actually intended to embrace Christianity at any period of his reign, although the missionaries appeared to be extremely sanguine on this point. He allowed Christian churches, Hindu temples and Zoroastrian Dukhmas, that is to say, towers of silence to be built ‡ without however showing preference to any denomination in particular, except to the divine religion of Shah Akbar or " Din eláhi Akbar Sháhi, " invented by himself. The public exhibitions of religious ceremonies by the missionaries appear to have been considered only as tamashas or shows ; for, Al-Badaoni says : " Also the ringing of Christian bells, the exhibition of the picture of the Trinity and the *Bulbulan* which is their place of amusement, together with all sorts of games and sports were set agoing, and the words

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* The Emperor Akbar's repudiation of Islám, by E. Rehatsek, Bombay, 1866, p. 24 | † *Lettera prima da Surat, del 22 di marzo* 1623.§ XI.
‡ The Emperor Akbar's repudiation of Islám, p. 93.

Infidelity was propagated * embody the date, and matters came to such a pass after ten or twelve years that the majority of scoundrels, such as Mirza Jáni the governor of Tattah and other apostates, issued statements of their own hand writing in the subjoined form —

'I, A B, who am the son of C D, have with great pleasure and of my own free will, abjured the insincere and hypocritical religion of Islám which I have heard of and seen practised by my fathers have adopted the divine religion of Akbar, and have received the four degrees of loyalty which consist in the dedication of property, life, honour and religion †

In the *Akbarnamah* written by the order of the Emperor and consisting of three folio volumes Abul Fazl states that malevolent persons had spread the rumour of the emperor's hatred to Islám and of his having become a Brahman but that they were refuted and put to shame by certain Christian philosophers [Jesuits?] in a public disputation held for that purpose The only passage in the whole *Akbarnamah* in which a temporary inclination of Akbar towards Christianity has been alluded to is as follows —'He conversed for some time on the religious information he had obtained from Christian priests, but it appeared after a short while that their arguments had made no great impression upon his mind so that he troubled himself no more with contemplations about asceticism, the allurements of poverty, and the despicableness of a worldly life'‡ This plain statement, of a most trustworthy and impartial author, naturally contradicts the hopeful assertions of the missionaries, and more especially of Padre Rodolfo Acquaviva, S J, who spent nearly three years at Akbar's court and whose impressions we shall now proceed to give In those times the Jesuits who visited the Moghul court generally started from Goa, which port he accordingly left and navigating to Surat performed the land journey from that harbour to Fathpur Sikri in forty three days, arriving there on the 15th February 1580 Padre Rodolfo Acquaviva, S J was received with much distinction by the enlightened glorious and potent Akbar, to whom he presented the Gospels written in four languages and bound in seven volumes Acquaviva was forthwith invited to hold

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* Ibidem p 57 the value of the letters كفر شايع شد is A H 985 which makes A D 1577 † Ibidem

‡ Lucknow lithographed ed vol III p ١٥٨ That the Jesuits spared no efforts to introduce their influence even into the Harem of Akbar appears from the presence in it of *Sh*[illegible] Goa whom the R C Bishop of Agra calls in a letter dated from that place 20th August 1[illegible] (See p 312 of *Researches and Missionary Labours*, &c, by the Rev Joseph Wolff London 1[illegible])

public disputations with learned Muhammadans on the relative excellence of the Evangel and of the Korán, of Christ and of Muhammad, of the Christian Virgin and of the mother of Muhammad, of the Christian and Muhammadan paradise, and of the similar Articles of Faith in the two religions. Akbar is said to have hesitated in uncertainty on the merits of the two religions, but in order to obtain a better insight into the doctrines preached by Padre Rodolfo, he invited him to study the Persian language and to state his reasons in the same; and this the Padre is said to have acquired within the short space of three months so well, that he considered himself skilled enough to turn a great portion of the Gospels into Persian. It is added that Akbar was so much edified that he ordered a golden crucifix to be made, paid visits to the little chapel of the Jesuits in which he worshipped the Madonna, made arrangements to build churches and hospices for Christians, recommended one of his own sons to Padre Montserrat to teach him Portuguese, and himself held out hopes of becoming a Christian. These, however, soon disappeared for political reasons, and his former good disposition was changed, if not into open enmity and persecution, at least to entire indifference towards Christianity. He had demanded a clear demonstration of the mystery of the Holy Trinity, upon which he averred that the whole Christian religion is based; "or else," said he, "whom are we to believe? The Brahmans swear that their religion is the true one; so do the Moslems concerning theirs, and you with yours. How are we to know who are in error? Whether all, or perhaps none of you?" He was inclined to believe that all religions were good, but that some tenets in one may be better than in others. It was ordained by heaven that we should all be in the dark, and whilst each of us persuades himself that he has truth and reason on his side, let God be honoured in as many ways of adoration as there are religions in the world. On these points he was so firm and obstinate, that no other proofs except miracles could have changed his mind. For all that, however, Padre Rodolfo Acquaviva, S. J., did not abandon all hopes of effecting some good by persevering in his mission, as appears from a letter he addressed in 1582 to his uncle Padre Claudio Acquaviva who was in Italy. He states in that communication his reasons for remaining in the dominions of the Great Moghul as follows:—

"1, Because, now the king gives us greater hopes than ever before; he wants to know the law of God, and considers it with greater diligence than formerly, showing affection for it, although impediments are not wanting. He uses so much love and familiarity towards us, that it cannot be expressed. 2, Because we hope that the second son of the king, whose name

is Pahari, aged thirteen years, * is learning Portuguese, and therewith also the doctrines of our religion which he loves, and that he will derive benefit from it, because he has a very good natural inclination and is very talented, father Montserrat was his teacher, but now he is my pupil 3, Because we have discovered a new nation of gentiles called Bottan, who are well disposed people, and addicted to pious works They are white men without any Muhammadans among them, wherefore, we hope that if two Fathers, inspired with apostolical zeal can be found, a great harvest of yet other gentiles may be gathered in. 4, Because here we have an old man, the father of the king's secretary, who relies upon him in matters of the law, this man has abandoned the world, appears to be extremely virtuous and is much addicted to the contemplation of divine things, wherefore he seems disposed to accept the light of the Faith He is very friendly to us, desires to hear our law, and we have for that purpose been several times to his house, where we experienced much consolation 5, Because we are in the real, and strictly so called, India, this country is, as it were, a thoroughfare of the whole of it, as well as of many other parts of Asia, and as the Society of Jesus has already obtained a footing here, and enjoys the benevolence of so great a king as well as of his sons, it does not seem proper to abandon it before trying all the means we possess for beginning the conversion of the mainland of India, which has hitherto been accomplished only on the coasts of the sea" †

Padre Rodolfo Acquaviva must have been sadly disappointed in his expectations, and considered all his hopes blasted when he saw *the divine religion of Akbar* proclaimed, hence it is no wonder that he retired from the world during the last year of his sojourn at the court of the Grand Moghul and was compelled, by the disgust he felt at the turn affairs had taken, to lead the solitary life of a penitent hermit or Fakir, until he at last obtained, with great difficulty, permission to return to Goa. The magnanimous Akbar wished to send the missionary away with gifts as tokens of his favour, but the only one Padre Rodolfo was anxious for, and would accept of, was the permission to take to Goa a Russian with his wife and two children as well as certain other persons who had for many years been kept in slavery at Fathpur Sikri, and who had become so habituated to Muhammadanism, that they could be recognized as Christians only by their names, and by their recollections of their condition before they had fallen into captivity. The emperor presented these slaves, in spite of the strong opposition of his

* This was exactly the age of Prince Murad in 1582

† *Missione al Gran Mogor*, Daniello Bartoli, S J, p 36 37

own mother, to Padre Rodolfo Acquaviva, and they were the only treasures he conveyed from the Moghul empire to Goa.* Only two months after his arrival in Goa, Padre Rodolfo sallied again forth to the adjoining district of Salcete in the company of other Jesuits, namely, the Padres Alfonso Pacheco, Antonio Franceschi, Pietro Berno, Francisco Aranho, with the native converts Gonzalo Rodriguez and Domenico D'Aghier, for the purpose of *re-establishing Christianity*, but they succeeded only in arousing the wrath of the gentiles; for, whilst the Jesuits were making arrangements for building a Christian church on the ruins of a Hindu Temple, more than a thousand gentiles, bent on avenging their gods, rushed furiously upon the Jesuits with their followers and massacred them all on the 15th July 1583.

Mention of Akbar in various books with reference to Christianity.

In the *Archivo Portuguez Oriental* which contains various documents and also letters from the kings of Portugal to the viceroys of India as well as to other officials, the Emperor Akbar is mentioned several times by the name of Equebar, or simply Mogor, the Portuguese transcription for Moghul. He had sent an ambassador to Goa during the incumbency of the viceroy, D. Duarte de Menezes——who governed from the 25th October 1584 till the 5th May 1588 when he died——to whom the king expresses his contentment in a letter dated the 10th January 1587 (Fasce. 3, letter No. 23, para. xxii) for the good treatment accorded to the ambassador, and for having, before his departure, endeavoured to ascertain his intentions about ceding the fort and lands of Diu without giving him offence.

The next document containing the name of Akbar (*ibid* 2nd part, No. 206, para. xv) is dated Lisbon the 28th January 1596, and in it the king, referring to a letter of Martin d' Albuquerque says,—"He also tells me [in his letter] that Akbar had written him some letters, and among these one which he had sent by an Armenian Christian, who had given him suitable information about our power and prosperity; furthermore, that the said Akbar wanted some men of letters to be sent to him, and complained of the quick departure of the Jesuits despatched to him by Manoel de Sousa Coutinho when he was governor [and immediate successor of the above named D. Duarte]; that he [d' Albuquerque] had considered this matter with some prelates and monks, who were of opinion that two learned monks should be sent, and that the Provincial of the Society of Jesus forthwith offered his own ecclesiastics with the same zeal for the service of God and for mine, with which he had given the two others, as well as a very

* *Ibidem*, p. 42.

learned layman, and I recommend you to thank the said Provincial on my part, as well as for those of his order whom he has given to go to Ethiopia, and that you should favour these things, and keep me always informed about them." The next year, on the 5th February 1597, the king again writes to the viceroy (No. 239 para xiii), and although he alludes only at the end of the paragraph to the conversion of the Mogor, it is worth inserting :—" He [Mathias d' Albuquerque] also tells me [in his letter] that the Moguls are in peaceable possession of the kingdom of Sind, where the Portuguese, who happen to travel there, are well treated, and that in the same kingdom a very large ship is being built with the intention thence to send it to the straits [of Bab-el-Mandeb?] which would bring on the total destruction of the customhouses of this estate. I recommend you to hinder the constructions of this ship, and I believe you will be able to do it with such attention and prudence, that no war may result in consequence of it with the Moguls who are yet on good terms with this estate, and the breaking out of new hostilities would be very troublesome, the more so as we are progressing in the conquest of Ceylon, and entertain hopes of the conversion of the Moghul [*i. e*, the Emperor Akbar] which although slender and uncertain, God is nevertheless powerful enough to realise. This you must take into consideration when you treat with the kings of the Deccan about making a league against the said Moghul" In the same letter (para xviii) the arrival of Padre Hieronymus S J (about whom we shall have to say more) at the court of Akbar is announced according to his own account, and the king of Portugal writes :—" He [d'Albuquerque] also tells me [in his letter] that he had a letter from Jeronimo Xamel [corrected in a foot-note to *Xavier*] a friar of the Society [of Jesus] written at the court of Equebar [Akbar] in which he informs him, that after enduring many hardships in a land journey of five months he had, with two friars in his company, arrived at the court of the Mogor [Akbar] who received them with much pomp, and that he himself, as well as the prince with his captains, expressed great admiration at the taking of the Morro [a fort opposite to Chaul which the Portuguese had conquered from the Dekkan Moslems] and that he asked them to make haste to learn the Persian language, because he desired to speak to them without interpreters on the reasons which had induced him to invite them to his court. I recommend you to encourage and to aid these friars of the Society [of Jesus] to make progress in the mission for which they have been sent, and to attain the good result expected therefrom, according to a letter, a copy whereof, addressed to the friars of the Society in this kingdom [of Portugal] and arrived in the ship St.

Pantaleon, I have seen, and in which their journey is very particularly described."

It appears that in 1598 the hopes about Akbar's conversion had become slender; in a letter dated the 15th January of that year, the king, however, informs the Viceroy of Portuguese India, that Mathias d' Albuquerque assures him of the confidence the Jesuits enjoy with Akbar, advising him in all matters, and entirely living up to the fulfilment of their obligations in the service of God and of the king of Portugal, and the utility to the latter of the Jesuits at the court of Akbar as political spies, may be gathered from his desire that some of them should always reside at that court; accordingly he writes in a letter to the Viceroy (No. 364, para. XVI) in the above named year:—"You are also to give me an account how the two friars of the Society [of Jesus] are at the court of the Moghul, and although they have hitherto not produced any fruit [of conversion] their aid is necessary in continuing to give us every information about the king [Akbar] as they now do. This I approve of, for the reasons you adduce, and I have also other information in conformity with them. It is chiefly to be taken into consideration that the fruit, which has hitherto not shown itself, may appear whenever God pleaseth, and when human hopes are perhaps the smallest. Accordingly you are to make arrangements with the Provincial of the Society [of Jesus] that in case these friars should die, or be necessarily recalled, for sending others, so that some may always be there as now."

Like many others who afterwards went to other parts, also Padre Matteo Ricci, S. J., landed at Goa in 1578 with two other Italian priests, Michele Ruggeri and Pasio, but they did not go to the court of Akbar, but proceeded to Canton in China. Padre Benedict Goes, S. J., lived however for a long time at the court of Akbar, whom he accompanied in 1598 together with Padre Hieronymus Xavier to Kashmir, but departed in 1602 to China, not however by way of Kashmir as he had first intended, but *viâ* Peshawur through Badakhshán, Kashgar, Yarkand, and reaching the frontiers of China (after a journey of three years) where death overtook him at So-tcheou.* Padre Hieronymus Xavier appears to have passed at the court of Akbar, in

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* The name of no priest occurs in the whole of the *Akbarnámah* except that of Padre Fermlyún فرمليون whose arrival and introduction at court is mentioned in vol III. p. ۹۰۲ He is also said to have been very earned, but arrived however in 1589, and with him numerous other eringhis as well as Armenians. The arrival of several Padres from Goa 1594 is also mentioned on p. ۷۱۲ but only in one line.

conformity with the Jesuit policy of the times,* not only for a priest but also for a philosopher, as may be seen from the following prayer composed by him in Persian in 1596 at the court of the emperor but dedicated to his eldest son. The style of it is exactly that used by Moslem philosophers and Sufis, except the last phrase, which may perhaps be interpreted as the expression of a Christian sentiment. It is as follows:—

"Pardon O Lord, should I do what is unpleasing in thy sight, by obtruding myself into the things and properties which belong to thee. Men plunge into the deep ocean, there to fetch pearls and other precious things. Therefore, O sea of perfections, suffer me to sink deep into thee and thence to enrich myself and brethren, who are thy servants, and by describing thy greatness and mercies, to help them. For, although I am unworthy to speak to thee thou art worthy that all should endeavour to praise thee, since thou art possessed of infinite goodness and beauty. O Lord my God this will be fruitless, unless thou assist both me and them with thy infinite mercy. Give unto us, O Lord, the key of the knowledge of thee. Grant to our understandings the power of comprehending thy greatness, that thy majesty and grace may not be to us an occasion of stumbling, and hence remain unblessed by thy many favours. Let not that come upon us what happens to the bat, which is blinded by the light of the sun, and which in the midst of light remains in darkness. Give us enlightened and far discerning eyes, that we may believe in that greatness of which thou art, and which for our sakes thou hast revealed. And that by these words and actions we may so follow thee, that in paradise we may see thy Godhead in the mirror of light, which in this world we can only contemplate by faith as in a glass [darkly]. Amen." The life of Christ written by this Padre in Persian is according to Bohlen† said to be still extant, and it would be interesting to ascertain what style he adopted in the treatment of this subject, we shall however, further on in the paragraph on "Missionaries" in "Southern India," give the opinion of Lacroze on the compositions of Hieronymus Xavier, who died in 1617 at Goa as the archbishop elect of Cranganore, to which see he had been appointed by Philip III King of Spain and Portugal. What a political rôle this Jesuit played up to two years before his death, namely, in 1615, appears from a treaty of peace concluded during it

* Les Jésuites les Machiavels du clergé, avaient introduit dans les missions un système de propagande tout à fait nouveau, ils réglementaient les formes pour atteindre le but, &c. (Matériaux pour servir, &c. Par A. de Gubernatis, Paris 1876, p. 40[illegible].)

† Das alte Indien B. I. S. 104.

between the Emperor Jehangir and the Portuguese, to which the signature of *Jeronimo Xavier* is appended as a commissioner of the former.* It being also a matter of some interest to know what manuscripts of this Jesuit are preserved in the British Museum, the catalogue of which is a *rara avis* in India, we shall afterwards insert a list of them, as it does not exceed four in number.

Even according to Muhammadan authors Akbar was well acquainted with the tenets of the Christian religion, but Ritter † supposes him to have been also aware of the horrors of the Holy Inquisition at Goa, and pays him the compliment of having been far too sensible to attribute them to the Christian religion; but it is more likely that if perchance any rumours of the cruelties committed in the name of religion had ever been brought to his notice, the Jesuits were at hand with their explanations to counteract all unfavourable impressions, as besides them scarcely any other Christians existed in the country, and the European artizans in the employ of the court or artillery service were, by their isolation, completely debarred from giving or receiving even ordinary news; churches were indeed built in various towns, which did not contain a single Christian inhabitant, although the missionary reports of those times outdid even the writings of the Hidus themselves in their accounts about miracles and conversions.‡ But whatever impostures may have been practiced by other Jesuits, they were far surpassed by those of Padre Roberto de' Nobili, who arrived about one year after the death of Akbar, namely, in 1606 at Madhura in Southern India. Being a talented and zealous priest, Padre Roberto soon learnt not only Tamil and Sanskrit, but forged even a new Veda and Puranas, representing himself to be in communication with the god Brahma and to be a Brahman of a more ancient race than those of India; his rogueries were imitated by the missionaries who accompanied him, and resulted in the production of various spurious writings, one of which is the famous *Ezur Vedam.*

The most scathing judgment of the conduct of the Jesuit Nobili and of his companions, was pronounced by the Capuchin father Norberto, an apostolic missionary and procurator of the missions at the Papal Court of Rome; it was embodied by him in two volumes of historical memoirs, which he presented in 1744 to Pope Benedict XIV on the missions of the East Indies:—

"The missionaries of the company [of Jesus]" writes Padre

* Chronista de Tissuary vol. 3, Nova Goa, 1868, p 271.
† Ritter's Erdkunde von Asien, B. IV. Abth. I. Indische Welt, p 627.
‡ Bohlen *ut supra.*

Norberto who succeeded Xavier * in India, very quickly strayed from the path which that apostle and the first preachers had smoothed in those idolatrous countries. Under the specious pretext of more easily converting the nations, they began to assimilate and to unite the usages of paganism to those of Christianity. The Reverend father Nobili was the first who gave this spectacle to the world about the year 1606. That famous missionary appeared in the kingdom of Madhura in the guise of a Brahman imagining that this dress which distinguishes the priests of the idols and insures them the veneration of the people, would impart more lustre to the authority of the evangelical truth which he intended to preach to those nations. In this manner he pretended to subdue the arrogance of the Brahmans, by making himself their equal. The undertaking was not an easy one considering that he was to pass for a descendant of the divine race of the god Brahma, which object could not be attained without other stratagems besides simple deceit. It became necessary against Christian and apostolic humility to maintain with pompous show, pretensions of equality with the highest nobility of the land, as well as to manifest supreme contempt towards all who were not descendants of the gods; to conform to the rigid abstinence of the Brahmans and to observe all the usages practised by them, onerous or ridiculous as they were. Similar difficulties would have been considered insuperable by any other man, but they served only to inflame the zeal of Padre Roberto. The people glad to receive the new Brahman, soon began to despise the Franciscans whose dress, simple and unostentatious mode of life, could flatter neither feelings of vanity nor of superstition. These fathers had already, since several years, a Church at Madhura where they laboured successfully in that vineyard of the Lord which they were compelled to abandon after the arrival of the Jesuits. They found themselves soon compelled to leave the field to the new comers who knew much better how to accommodate themselves to the tastes of the Hindus."

When the news of these stratagems arrived in Rome, they were condemned on the authority of Bellarmino who had declared:—*Evangelium Christi non eget [illegible] et simulationibus, et [illegible] quidem est ut Brahmines [illegible] convertantur ad fidem, quam ut Christiani [illegible] libere et sincere Evangelium prædicant.* But the learned Roberto Nobili,† who only imitated

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* Francis Xavier arrived in Goa on the 6th May 154?, went thence in 1545 to Malacca, returned to Goa in 1548, embarked for Japan in 154? and died on the 2nd December 1552.

† Mullbauer in the History of Catholic Missions in India, and after him Prof. Max Muller, [illegible] in his [illegible] Lectures on the Science of

in India the apostolical system introduced a few years ago in China by Padre Matteo Ricci, cared very little for this condemnation; nor did his companions or successors.

In 1623 the vexed subject of Hindu questions was finally disposed of by Pope Gregory XV, who issued a *Constitution*, according to which Brahmans were, after their conversion to Christianity, allowed to retain their sacred thread, the use of ablutions and of Sandal, on the condition however that the thread should not be given to such Brahmans by their own priests in their temples, with their prayers, rites, or sacrifices, but simply by a Catholic priest; that the string composed of three threads should be worn by converted Brahmans in honour of the Christian Trinity and as a sign of their nobility, and that at the same time the converted Hindus of noble descent, should not despise those who are born of low estate. This document of the Pope is of singular importance by the knowledge displayed in it of the minute ceremonies of the Brahmans when they are invested with the sacred thread, a knowledge which had reached Rome assuredly through the Jesuit missionaries and perhaps through Padre Nobili himself; wherefore the publication of the *Constitution* in India, gave rise to new and more lively remonstrances sent by the Franciscans to Rome. Not merely Nobili, but also other missionaries who had gone to India for the purpose of converting the Hindus, ended by being themselves converted to the disciplinary practices of the Brahmans as to dress, food, drink, and other usages. Thus they became farther removed from Roman Catholicism than many heretic Christian sects of Europe which had been condemned and fiercely persecuted by the tribunal of the Holy Inquisition.*

In the above mentioned year, namely, in 1623 when the celebrated Italian traveller Pietro della Valle was in Goa, he found it already considerably declining in wealth and population, chiefly on account of the horrors of the Holy Inquisition and the appearance of the English, who had begun to trade and allowed complete religious liberty in their factories to all. He mentions however the island of Salcete, near Goa, as containing many handsome towns, and about one-third of the island as belonging entirely to the Jesuits, who were not only the spiritual fathers of the people and administered all the parishes, but the inhabitants considered themselves more as the vassals of the Jesuits than of the king of Portugal. The island of Bardez,

Language that Roberto de' Nobili had read the *Skandapurana*, the *Kadambari* and the difficult *Apastamba Sutras* from which he made quotations, and which he had probably all translated. The papers of Nobili will undoubtedly one day see the light and be published, when his attainments, as well as his solemn impostures, will become better known.

* *Storia dei viaggiatori Italiani*, &c., A. Gubernatis. Livorno 1875, p. 32.

contiguous to that of Goa, was under the Government of the Franciscans, and it may be said that not only the best, but also the largest portions of Portuguese India were in the hands of monastic orders. In the city of Goa he found Augustinians, Dominicans, Franciscans, barefooted Carmelites, Jesuits with many convents and also numbers of secular priests. With the concurrence of the other monastic orders the Jesuits performed the most exaggerated spectacles in consequence of the joy felt at the canonisation of St Ignatius Loyola and Francis Xavier; there were in these processions, chariots with clouds, Famas blowing trumpets, walking pyramids, a strange and grotesque cavalcade. In the public square a theatrical representation of the life of Xavier till his ascension to heaven took place, which may be called either a comedy or a tragedy, in the nocturnal rejoicings the noblemen of Goa figured, partly in chariots and partly on horse back, dressed in the costumes of ancient Roman warriors, with emblems on their breasts according to the fashion of mediæval cavaliers.*

Father Stephens the English Jesuit died four years before the arrival of Pietro della Valle, else he would not have failed to mention him, but some account of him is given in the *Indian Antiquary*, 1878, vol vii, p 117.

Jehangir the eldest son and successor of Akbar was just as well known for his religious indifference and toleration of all sects as his father. If we are however to believe Bernier,† the Jesuit fathers entertained great hopes also of Jehangir's conversion. He is said to have allowed two of his own nephews to embrace the Christian religion, and also a certain Mirza Zulqarnain who had been brought up in the seraglio and been circumcised, on the pretence that he was born of Christian parents and the son of the wife of a rich Armenian, brought to Jehangir in the seraglio. The Jesuits also stated that, in order to begin to countenance the Christian religion in good earnest, the emperor put on European clothes, and intended to dress the whole court in that fashion, but having consulted one of

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* *Lettera VII da Goa.—Della vita e delle opere di Pietro della Valle il pellegrino. Roma*, 1780, p 92. In India he found numerous Italian Jesuits, for instance, in Daman Antonio Albertino, in Bassein Paolo Giovio, in Goa Antonio Schipano, Vincenzo Sorrentino, Cristoforo Boro (called Brono so as not to offend the Portuguese by the word *boro* which has a bad meaning in their language) Giuliano Baldinotti, Alessandro Leni, Giacinto Franceschi, Laerzio Alberti, Flaminio Carlo, Bartolomeo Fontebuoni, and others. *Ib. l.*, p 95. He also observes on p 5 6 that the Jesuit church in Chaul, Daman, Bassein and almost in every other place where those fathers had one in India, bore the name of St Paul, and that they themselves were more known by the name of Paulists than Jesuits.

† *The History of the late revolution of the Great Mogul. Englished out of the French.* London 1671. Tome II, p 84 seq.

his chief Omras on the subject, received a very grave reply, whereon he turned the whole affair into a joke and abandoned the project. These fathers asserted furthermore, that when Jehangir was on the point of death, he ordered them to be brought into his presence to make him a Christian, but that they were not called! Bernier does not give the names of those Jesuits, he himself having arrived only after the death of Jehangir in the latter part of the reign of his son Shah Jehán, and remained in India a few years during that of Aurangzib, namely, till 1656. Also the following anecdote he had from the *son* of an officer of Jehangir:—There was at the court a certain father from Florence, of small stature but fiery temper, and therefore surnamed *Atesh* (fire). Being one day in a debauch, Jehangir called for father Atesh, ordering him to say every thing he could, in favour of the law of Christ and against that of Muhammad, but after that to jump into a pit of fire with a Gospel under his arm, whilst a Mullah would do the same with a Qurán under his, and that the emperor would embrace the law of him who cames out of the fire unscathed. The rueful countenances of the Mullahs altogether astonished Jehangir, and the compassion he entertained for the Florentine father, who had accepted the condition, induced him not to insist upon the ordeal. Whether this story be true or not, says Bernier, it is certain that whilst Jehangir lived, the fathers were respected and honoured at his court, and that they conceived great hopes of the advancement of Christianity in those parts; since that time they have had no great cause to hope for much, unless, perhaps, from the familiarity which our father Buzé had with Dara.*

It is curious that already in 1581 during the reign of the Emperor Akbar, an ordeal by fire was to have taken place, in which case, however, the European priest, whose name is not given, refused to submit to it. According to Al-Badaoni † the emperor appointed Sheikh Jamál-uddin Bakhtiár to dispute with European priests in the presence of the wise men and the divines of the period. The Sheikh ordered a great fire to be kindled and said:—"I shall leap into it to prove my assertions, and he who comes out unscathed, will have the truth on his side." When everything was ready he took hold of the European and exclaimed:—"Come in the name of Allah!" But none of the latter [*i. e.*, the Europeans] would

* Dara was shamefully killed by order of his own brother the Emperor Aurangzib; one of the accusations against him being that he had become an infidel.—*The History of the late revolution of the Great Mogul. Englished out of the French.* London 1671. Tome II. p. 86-87.

† *Muntakhab-ut-Továrikh* Bibl. Indica, Calcutta 1864 5. p. ۲۸۸ seq. Padre Rodolfo also refused to jump into the fire, *Missione al gran Mogor* p. 34.

come. The Emperor was displeased and sent them in the company of some Lakirs to Balkar where they died

On the 11th October 1631 the Christian settlement of Bunder Hughli was destroyed during the reign of Shah Jehán, the son of Jehangir and grandson of Akbar * after a siege of some months At Chittagong there was a colony of Portuguese pirates who not only sailed along the coasts but entered all the rivers, and also the Ganges ' These were the pirates says Bernier † ' that made Shah Jehán, who was a more zealous Muhammadan than his father Jehangir, to express at last his passion, not only against the Reverend Fathers the Jesuits missionaries of Agra in that he caused to be pulled down the best part of a very fair and large church that had been built as well as that of Lahore by the favour of Jehangir, who as I said, did not hate Christianity, and upon which there stood a great steeple with a great bell in it, whose sound might be heard over all the town, not only I say against those Jesuits but also against the Christians of Ongouli [Hughly] for being impatient to see them connive at the pirates to make the name of Franguis [Europeans] formidable and to fill their houses with slaves that were his own subjects, he wasted and utterly ruined them after he had both with fair words and menaces drawn from them as much money as he could and because they were indiscreetly obstinate in refusing what he demanded of them he besieged them and caused them all to be brought to Agra even their very children, their priests and friars This was a misery and desolation not to be paralleled, a kind of Babylonian transmigration There they were all made slaves The handsome women were shut up in the seraglio the old women and others were distributed among diverse Omrahs The young lads were circumcised and made pages and men of age renounced for the most part their Faith, either terrified by the threatenings they heard daily that they should be trampled upon by elephants, or drawn away by fair promises It is true that there were some of those friars that persisted and that the missionaries of Agra who notwithstanding all their unhappiness remained in their houses found means afterwards partly by friends partly by money, to get many of them away, and to have them conveyed to Goa and to other places belonging to the Portuguese In connection with this matter Bernier also states that the above mentioned pirates seized at the same time the island of Sondiva [Sunderbunds?] an advantageous post to command a part of the mouth of the Ganges, on which isle a certain Augustine friar, a very famous man acted

* This event is described at large in the "Badshah Namah," Bib. Ind. ed., Calcutta, 1867.   † P. 174.

the king for many years, having taken a course, God knows how, to rid himself of the Commander of that place."

Speaking of his own time, Bernier says—"In Agra the Rev. Fathers, the Jesuits, have a church and a college where in private they teach the children of some twenty-five or thirty Christian families——I know not how gathered and settled there——the Christian doctrine. It was Akbar who, in time of the great power of the Portuguese, called them and gave them a pension for their subsistence, permitting them to build churches in the capital cities of Agra and Lahore; and his son Jehangir favoured them yet more. But Shah Jehán, son of Jehangir and father of Aurungzib now reigning, took from them their pension, caused their church at Lahore to be pulled down, and the greatest part of that in Agra, &c."

Now we take leave of Bernier by giving in conclusion his views on missions, which are as follows:—"Certainly I cannot but exceedingly approve of missions, and the good missionaries, especially our Capuchins and Jesuits, and some others of our neighbourhood, because they give meek instructions, without that indiscreet zeal and transport which is expressed by some others, who would do better to keep themselves close in their convents, and not come hither and give us a masquerade of our religion; by doing so, and by their ignorance, jealousy, looseness, abuse of their authority and character, they become a stumbling block to the Law of Jesus Christ."

As to Mandelslo, who was in India in 1638, he takes no notice whatever of Christian missions, but having been in Goa, he gives an account of the hospitalities he enjoyed at the hands of the Jesuit fathers.* The case is different with M. de Thevenot, who travelled in this country in 1666 and makes several allusions to priests; he states that the Jesuits who had been invited to Agra by Akbar, still attended there to spiritual matters and to the instruction of youth, but does not appear to be quite sure whether twenty-five Christian families actually existed there.† Of other monastic orders he mentions only the Augustinians, who had a convent on the banks of the Ganges in Dacca, and the Capuchins at Surat, the superior of which, father Ambroise enjoyed considerable influence with the governor.‡

Missionaries in Southern India.

It is certain that when the Portuguese began to take cognizance of the dogmas and discipline of the ancient churches of Malabar, they found that Nestorianism was firmly established, and that no records of any other doctrines having ever been

* *Calcutta Review*, Number CXLIX, p. 89, seq. (1882.)
† Ibidem, p. 96. | ‡ Ibid, p. 94.

taught in them were in existence, accordingly efforts to bring the people under obedience to the Pope were made, but in vain. Devoutly attached to their ancient and simple doctrines the Syrian Christians indignantly rejected for some time all others.

By a rescript of Pope Pius V dated 15th January 1567, Don George, the archbishop of Goa, was ordered to make exact inquiry into the conduct and doctrine of Mar Joseph the Nestorian prelate of the Malabar Christians and in case he should be found guilty of error, to seize him and to send him forthwith to Rome. This was easily done, because Mar Joseph suspected nothing; he was captured, embarked in Cochin, deported to Portugal, and thence to Rome, where he ended his days in prison.*

In 1599 Archbishop Menezes whose efforts were seconded by the Jesuits endeavoured to induce the Malabar churches to pay allegiance to the Pope but brought on long and grievous disturbances; he is, during the same year, said to have burnt the sacred scriptures of the Syrian Christians at the synod of Diamper, which assertion was likewise made by Dr Claudius Buchanan in his *Christian Researches in Asia* London 1811 p. 157, seq. but the Rev. Denis L. Cottineau de Kloguen denies that Archbishop Menezes used any violence at all.† The Bulls which Pope Clement VIII granted in favour of Padre Francis Roz, S. J. arrived in this country in 1601 to the great contentment of Menezes who forthwith consecrated this Jesuit to be the Bishop of the St. Thomas Christians. In 1605 Pope Paul V translated the episcopal see from Angamale to Cranganore, of which place father Roz S. J. became the first Roman Catholic bishop. There is reason to believe that this prelate died in 1617, because we know for a certainty that Hieronimus Xavier, S. J. who was to have succeeded him, likewise departed this life during the same year but in Goa.

If however the missionaries who insisted on the supremacy of the Pope could find no favour with the Nestorian Christians they ingratiated themselves with some of the native princes of the country, and in 1608 when Pyrard de Laval was in Calicut, he found there two Jesuit fathers who were in such high favour with the Hindu king that he allowed them to build a church, gave them salaries and they preached openly; they had even permission to convert the people to Christianity.‡

We may in this place insert the opinion of Lacroze§ on the literary compositions of Hieronimus Xavier, who had lived at the court of Akbar as well as of Jehangir his successor, and

* Lacroze Hist. [illegible] 1758 I 93, seq
† [illegible]
‡ [illegible] p. 36, [illegible]
§ [illegible] p. 75

whose philosophical prayer, purporting to have been published in 1596, we have already quoted in this article. Lacroze says:—" Hieronymus Xavier is considered to have been the author of two works written in the Persian language, the first of which bears the title of 'The history of our Lord Jesus Christ' and the second narrates 'The life and martyrdom of the apostle Peter.' These two works, which are equally fabulous, happened to fall in manuscript into the hands of Louis de Dieu, a celebrated Professor of oriental languages at the university of Leyden, who printed them with a Latin translation and notes, defending the sacred text against the enormous falsifications of the Jesuit; accordingly the notes have been condemned by the Roman censors. The work itself is a monstrous conglomeration of fictions and gross fables, added to, and not seldom substituted for, the words of the holy evangelists. After all, however, Hieronymus Xavier is not himself the author of this kind of Qurán, except as far as its profanities and superstitions are concerned. He had composed it in Portuguese, and the Persian version which Alegambe and other Jesuits do him the honour of attributing to him, was by no means written by himself. Its author was an Indian Muhammadan of Lahore, whose name was Abdel Senarim [sic] Kasem, as Xavier himself avows, in his first work on p. 586."

As promised above, we shall here give a brief notice of the four manuscripts of Padre Geronimo Xavier preserved in the British Museum,* as it is not impossible that in India also the writings of this Jesuit may still be in existence.

Harl. 5,455 foll. 215. Written in plain Nestalik, apparently in India; dated Ramazan A. H. 1027 (A. D. 1618). This is the مرات القدس or "Mirror of Holiness" a life of Christ, which has been edited with a Latin translation and notes, conceived in no friendly spirit by Louis de Dieu, as already observed above. The Latin title is "Historia Christi Persice, &c." Lugduni, Batav. 1639. In the preface of this work, dated Agra A. D. 1602, the author states that he wrote it by desire of the Emperor Akbar, after having been engaged for seven or eight years in the study of the Persian language. He says at the end that he was assisted in the Persian translation by Maulana Abd-us-Sattár B. Kasém Lahauri, and that it was completed in Agra in the same year; the 47th of Akbar's reign. It is divided into four chapters. The name داستان مسیح by which this work is commonly known, occurs as a running title at the top of every other page of this manuscript.

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* Catalogue of the Persian Manuscripts in the British Museum. By Charles Rieu, Ph. D. London 1879, p. 2-4.

Add 16878 foll 74 An imperfect copy of the same work, written in Nestalik, apparently in India, in the 18th century

Harl 5478 foll 525 Written partly in Nestalik, partly in Shikestah Amiz, dated Jumadi I the 6th year of the reign (probably that of Jehangir, hence A H 1019 A D 1610)

The title is آئینهٔ حق نما "The Truth reflecting Mirror," in which the doctrines and mysteries of Christianity are fully expounded It is stated in the heading that the author, Padre Geronimo Xavier, a member of the Society of Jesus, came from Goa to Lahore where he was presented at court A D 1596 In the preface which follows, the author states that he had enjoyed twelve years previously the privilege of kissing the imperial threshold, and that he now dedicated this work to Jehangir as a slight return for past favours, and a humble offering on the occasion of his accession The work is written in the form of a dialogue between the Padre and a philosopher or freethinker (Hakim) whom he purports to have met at court, while in some parts a Mulla intervenes as a third interlocutor The work was finished as stated, at the end of A D 1609

Add 23584 foll 55 منتخب آئینهٔ حق نما An abridgement of the preceding work In a long preface addressed to Jehangir, the author, whose name is here written جرونيمو شاوير mentions his previous work *Aina i Hakk numa* or "the Truth reflecting Mirror," to which he had devoted so many years and says, that finding the Emperor's time taken up by the cares of Government he extracted its substance for his use and condensed it in the present *Muntakhab* or "Selection" This is the work which found its way to Persia and there called forth the reply *Miskal i safa* مصقل صفا در تجلیهٔ آئینهٔ حق نما "The Clean polisher, for the Brightening of the Truth reflecting Mirror" This in its turn elicited a reply before 1628, and another *Apologia pro Christiana Religione*, Rome 1631

Brito, the companion of Hieronymus Xavier in the mission, occupied the Archiepiscopal seat during seventeen years and was succeeded by Don Francis Garzia S J who took possession of the see in 1634 Under this prelate the Syrian churches again cast off their allegiance to the Roman Catholic faith and elected to the great disgust of the Jesuits and of the Curia of Rome, one of their own priests an archdeacon to be their bishop This happened a little before the year 1655 and the first news of the defection were conveyed to Rome in the beginning of the pontificate of Alexander VII This Pope alarmed at an event the consequences of which could easily be foreseen, determined promptly to put an end to the growing schism

As a strong impression prevailed at Rome that the indiscretion and haughtiness of the Jesuits had ruined every thing, the determination was arrived at, that the bare-footed Carmelites, who had for several years been distinguishing themselves in the oriental missions, should remedy the evil. Accordingly the bare-footed Carmelite Vincent Marie was sent to Malabar with three other monks of his order by Pope Alexander VII in 1656, in order to put an end to the schism which had arisen between the native Christians and the Jesuit bishop.

Vincent Marie with his companions landed at Surat in 1656, and knowing that the Jesuits would be displeased at the invasion of their field of labour by other missionaries, the Carmelites did not venture to make their appearance at Cananore before the commencement of 1657, whence they journeyed by land to Calicut, and were determined to go to Cochin. When they arrived at Palur, the Cassanar, or priest, hid himself to avoid meeting them. When the interpreter of the missionaries had discovered and brought him to them, he was so reserved, that although he knew Portuguese very well, he conversed only through an interpreter with them. After a while, however, his coldness and suspicions having relaxed, he informed the Carmelites of the disposition of the people and the pretensions of the Archdeacon, advising them to seek an interview with him at Rapolino, where he usually resided. He advised them not to pass through the territories of the Portuguese, the allies of the Jesuits, and gave them to understand, that in that case the Archdeacon would receive them as persons descended from heaven, coming for the good of the country, and that the Archdeacon's return to the allegiance of the Pope would be followed by the whole nation. With these hopes the missionaries embarked for Rapolino, where they arrived after a sail of a day and a half.

As soon as they landed they sent their interpreter to the Archdeacon with a letter from the Cassanar, informing him of the arrival and the powers of these new missionaries. This piece of news caused him no joy as the Cassanar had predicted, but on the contrary he appeared to be much grieved thereat. Now conferences began, in which the Carmelites employed all their skill, according to the instructions they had received, to regain for the papal See a church which had after so many labours become as alienated therefrom, as it had been at first.

It would be difficult to give a detailed and correct statement of the reasons which had caused the schism, because the Jesuits were too powerful to allow the Carmelite Vincent Marie to mention in the book he published, anything disadvantageous to them, whilst they themselves would naturally not injure their own interests by confessing their own mistakes. All that we can gather is, that according to Vincent Marie

the government of the Jesuit prelates had lasted too long, that the archdeacon feared he would lose the privileges enjoyed by his predecessors and lastly that the extreme severity of Don Francis Garzia S. J. and the hankering of some Cassanars for their ancient Nestorianism had severed the union brought about by Don Alexis de Menezes, which had already subsisted for almost fifty years.

Another episode in the schism was, that the Coptic patriarch who resides at Cairo in Egypt, sent out at the invitation of the Malabar Christians, a bishop of the name of Attala but when he arrived at Surat, the Capuchin missionaries of that place informed the Holy Inquisition of Goa of this circumstance and he was made prisoner. The chiefs of the Syrian Christians assembled at Diamper, to devise means for delivering their new prelate from the clutches of the Sacred Tribunal. Some appeared to be in favour of a reconciliation with the Jesuit bishop, and invited him to pay a visit to their assembly. It was a little too presumptuous on the part of these simple minded Christians to attempt to decoy a prelate belonging to the most astute society which had ever existed on the face of the earth, and it was but natural that Don Francis Garzia could not be duped by their invitation. He discovered their intention of seizing his person and retaining him as a hostage until Attala could be extricated from the hands of the Jesuits of the Inquisition.

The Hindu Christians then determined to deliver their prelate by force of arms and proceeded with their archdeacon and priests to Cochin where Attala was kept prisoner, but the gates of the town were closed against them and the walls bristled with artillery. It is certain from the testimony of Vincent himself that Attala was packed off to Goa where he died condemned as a heretic by the Holy Inquisition. Having thus lost their bishop, the people again assembled, swore upon the Gospels no longer to acknowledge the authority of the Jesuit prelate, but to obey in everything their own Archdeacon, who was now consecrated bishop by twelve priests selected for that ceremony.

The Carmelites were much embarrassed on witnessing these disorders which it was all the more difficult for them to remedy, because the Jesuits jealous of their former domination, spurned all projects of union from which they might be excluded resolved as they were, rather to loose everything than that the diocese should fall into any other hands than their own.

The maxim *divide et impera* has often yielded golden fruits to those who applied it with skill, and the Jesuit fathers proved to be no mean adepts in that policy. They had their adherents, the archdeacon his, and the Carmelites theirs, in 1657 the

latter succeeded in an assembly held at Mutane, to persuade the deputies of twenty churches to swear allegiance to the Pope. It was not likely that simple Hindu Christians could long resist the arguments and artifices employed by learned, zealous, and sometimes even unscrupulous European priests, to induce them to acknowledge the supremacy of the sovereign pontiff of the Roman Catholic church; but the union was after all long delayed on account of the rivalry and discord which divided the Carmelites and the Jesuits, who however concealed their intentions of dominion under the garb of Machiavellism, a weapon which they wielded with consummate tact, and always found successful. Also Don Francis Garzia, S. J., the archbishop of Cranganore who had become detestable to the Syrian Christians, and was a stumbling block to the union, died in 1659.

Desirous of pleasing the people, who entertained great veneration for the sacred tongue of their church, the Jesuits had established a college at Vaipicota for the study of the Syriac language, in the vicinity of Cranganore, and Bartoli * states the reason thus:—"Our fathers have found it a useless labour to endeavour to convert the St. Thomas Christians, to unite them to the church, and to subject them to the allegiance of the Pope, because they would not hear of any other language except the Chaldaic, which they use in the sacrifice of the mass." In course of time, however, the teaching of the Syriac language was found to be too expensive. It was abandoned, and Latin substituted, to accustom the priests to the use of it. Thus most of the Syrian churches to whom the very existence of the Pope appears to have been totally unknown before the advent of the Jesuits among them, at last acknowledged his supremacy over all Christendom, and paid him allegiance.

In 1693 father John Brito, S. J. was beheaded in Madura—after baptizing not less than eight thousand catechumenes, during the fifteen months he had spent among the Maravas—for converting a prince named Terladeven, whom he induced to retain only one wife instead of five. A discarded lady, the niece of Ranganadadeven, sovereign prince of the Maravas, implored justice from her uncle, and the missionary was slain. This statement occurs in an exaggerated account of the so-called perscutions suffered by the Jesuits in Madura,† and consists of a long letter of father Lainez on the just-mentioned martyrdom of father Brito; another of father Martin beginning with an allusion to the apostacy of three catechists and describing the honours received by father Bouchet, S. J.

* Rome, 1667, 3rd edition, p. 472. Apud Lacroze t. II. p. 97.
† From p. 365 to p. 419 in the *Choix des lettres édifiantes*, t. IV.

at the hands of the prince regent Talavery, and the last by father Le Gac, S J, mentioning some slight persecutions, but also that twelve thousand Hindus had been converted Besides the above named date no other occurs in the whole Tableaux des Persecutions but as at the end of that florid production, the Lutheran mission established at Tranquebar by the king of Denmark, is mentioned which we know to have been founded in 1706 some portions if not the whole of these Tableux must have been written after that year The account terminates with the statement that the Lutherans had distributed New Testaments printed in the Malabar language but that the Jesuit fathers had not failed to apply the antidote—literally *préservatif*—to the faithful either by excluding from the communion those who had allowed themselves to be seduced or by refuting the errors of the heretics in learned disputations

Alfonso Albuquerque began already in 1510 when he conquered the town of Goa, to build a church which was the only one till 1542, and became in course of time transformed into a magnificent cathedral, admired to this day among the ruins of ancient Goa Franciscan monks were the first spiritual pastors of Portuguese India, and after them the Jesuits, who arrived in 1542 under the leadership of St Francis Xavier, and took possession of the *Santa Fé* seminary which they transformed into a college with the church of St Paul Then the Dominicans made their appearance in Malabar, but they established themselves as a community only in 1549 and the reformed Franciscans did the same in 1566, they were followed by the Augustinians who arrived at Goa in 1572, and at once founded their convent in the city After these the Italian Carmelites arrived in India who likewise established a convent in Goa taking also charge of missions in Malabar and in the Mogul empire, they were however expelled from Portuguese India in 1707 because they refused to swear an oath of allegiance to the King of Portugal Their church and monastery were taken by the fathers of St. Felipe Nery, or the Congregation of the Oratory, which had in 1652 established itself in the island of Goa The Theatines or regular clerics of St Caetan had established their monastery in the capital of Portuguese India in 1646 the Hospitallers of Joao de Deus in 1681, and were for many years the directors of the hospitals of Portuguese India The last monks who established themselves in this country were the Carmelites of the 3rd order they arrived in 1750 The ec[illegible]ns in the island Goa was established in 1606 and [illegible] St. Monica the order of St Augustine.

Missionaries in Portuguese India

India, with all the conquests of the Portuguese in Asia and in Africa, was first placed under the spiritual jurisdiction of the new bishop of Funchal and Arguim; but in 1534 the bishopric of Goa was established by a bull of Pope Paul III, dated the 1st November, and all the Portuguese establishments became subject to it, from the Cape of Good Hope to the extreme east. At the request of king Sebastian, Goa was raised to an Archbishopric by a bull of Paul IV, dated the 4th February 1557, with two suffragan bishops; namely, the bishop of Cochin, whose diocese began at Cranganore and embraced the coast of Coromandel as far as the mouth of the Ganges, and the bishop of Malacca whose diocese embraced the Malayan peninsula from Pegu as far as China, Java, Sumatra and the Moluccas. The diocese of Goa was restricted to the portion of India north of Cranganore, and to East Africa as far as the Cape of Good Hope. The bishopric of Meliapúr, established in 1606, began at the Coromandel coast and ended in Pegu. The archbishopric of Cranganore established by a bull, dated the 3rd December 1609, in supersession of the bishopric of Angomale, established on the 4th August 1600, embraced the territory of India between Cananore and Vaipim, without any suffragans.

That the Jesuit fathers were not only zealous missionaries in Portugese India, but also applied their spiritual authority to mundane affairs, is known well enough, and attested also by many valuable documents preserved in the *Archivo Portuguez Oriental.* We shall accordingly content ourselves with only one quotation * from a letter of the King of Portugal to the Viceroy of India, dated the 28th January 1596:—"I possess special information that many friars of the society [of Jesus] interfere in India not only with the government and the administration of all affairs, but are also judges internally and externally between men, and that some of them have, against the order of the Provincial—who is considered to be a friar of virtue and prudence—given their secret permission to certain inhabitants of Chaul, that they may with a safe conscience resist the hasentar [Fazendár?] of the custom house, and refrain from paying dues thereto, inasmuch as they had not given their consent, and called them a new tribute. This may have given cause to the pertinacity of the said inhabitants. It is said that they have done the same thing at Bassein and Tannah, with reference to those who plundered the ship of Melique, alleging as reasons, that the money and goods were none of my revenue, and might be considered as a set off against the losses they had all sustained in the war, without

* From No. 206, para. XXVII, Fascicolo III.

incurring the excommunications pronounced by the bishop of Cochin at the request of the solicitor of the crown &c The King of Portugal had in this manner been defrauded not only of the booty taken in the just mentioned ship but even of the artillery and ammunition taken in the Morro or fort of Chaul conquered from the Dekkani Musalmáns, and situated opposite to the Portuguese fort of that name

From 1567 till 1606 five provincial councils were held at Goa in which 316 decrees relating to the discipline of the church were issued From 1606 the archbishop of Goa took the title of 'Primate of the East By a bull of Pope Gregory XIII, dated 13th December 1572 the right was granted to the bishops of Cochin to govern the archbishopric of Goa whenever the see became vacant and by a bull of the pontiff Leo XII, dated the 12th December 1826 the same right was granted to the archbishop of Cranganore when the see of Cochin fell vacant, and to the bishop of Meliapur, when that of Cranganore fell vacant

The archbishops of Goa and their canons disturbed the peace of the estate on various occasions to such a degree as to oblige the viceroys and governors to take various measures of repression against them and to induce the higher authority of the Pope himself to obviate these excesses Thus for instance, in an apostolical brief from the supreme pontiff dated the 10th March 1635 and communicated to the Viceroy of India in a royal letter dated the 27th of the same month and year the said Viceroy was authorised to transfer the government of the diocese to the Inquisitor, whenever the chapter and canons offered any opposition As we have already dealt in a former article with *The Holy Inquisition at Goa* from its establishment to its abolition we may in this place content ourselves with adducing only two testimonies of the higest authority, to show how turbulent and troublesome the monks became to the governors of Portuguese India —In an official letter to the king dated 15th November 1694 Count Villa Verde, the Viceroy of India expresses himself thus —

"I may assure your majesty that the greatest trouble which the Viceroys have here is with friars, and all my attention is more necessary for the political matters of the government the friars are disturbing me in such a manner, that for them alone all the time is not sufficient"

But even a few years before the above letter namely, in December 1691, the governors of the interior of India wrote to the king as follows —

'Sire —Nothing gives so much trouble to those who govern this estate or live in it than the continual disturbances raised by the monks who are in these parts, excepting only the

Dominicans and the fathers of the Society of Jesus,* who alone live with that religious moderation which they are accustomed to observe. But the greatest and most insufferable inquietude, which can scarcely be appeased, is caused by the monks of St. Augustine, when they begin to contend with the Capuchins, Franciscans and Carmelites. This we state that your majesty may be pleased to get these friars admonished in bulls to them, *because although they ought to spend all their time in the conversion of infidels, they consume it by always living, in particular localities, where their convents more resemble barracks of soldiers than the abodes of monks.*" †

In 1760 one hundred twenty-seven fathers and brothers of the Society of Jesus were shipped to Portugal from India by the government, ‡ in 1761 their professed house of Bom Jesus was ceded to the noviciate of the island of Chorão, and their convent at Rachol to the Italian missionaries of St. Vincent de Paul, in order to establish seminaries These last named fathers having in their turn likewise been expelled from Portuguese India in 1790, for refusing to comply with some regulations contrary to their statutes, and which the archbishop of Goa had attempted to impose upon them, they were superseded in the duties of teaching, by Portuguese of the same religious order, from the convent Rilhafolles; and these again by clerics from the congregation of the Oratory.

After the conflagration in the house of Bom Jesus, the seminary attached to it ceased also to exist; and shortly afterwards the other two, of Chorão and Rachol, were united into one. The colleges and churches of St. Paul and of St. Roch which had likewise belonged to the Jesuits before their expulsion, fell into ruins when the fathers departed. As far as their connection with India is concerned, the present period resembles that between 1578 and 1643, when a great influx of Jesuits into this country took place, on account of the spreading of the reformation in England, France and Germany, which narrowed their sphere of action, and considerably diminished the numbers of the faithful. In recent times, when these fathers have been expelled by law from Portugal, Spain, Germany and France, they again turned their steps eastward, where they find ample fields of labour not only as missionaries, but also as accomplished, assiduous, painstaking and successful educationists, founding schools, colleges, orphanages, &c., wherever they establish themselves.

E. REHATSEK.

* The fathers probably may themselves have had something to do with the above letter which mentions them so favourably; it is on the other hand perfectly certain that incorrigible Dominicans and Jesuits were sent from the convents of Goa as missionaries to Mozambique, and *there* the governors complained of them *Ensaios sobre a estatística*, &c., Tome IV. p. 145, seq. | † The italics are not ours, but of the Portuguese text.

‡ *Calcutta Review*, No. C.L. October 1882, p. 331.

ART. II—BURMA BEFORE THE ULTIMATUM.

PART I

BRITISH BURMA.

Burma—Past and Present By Lt Genl A. Fytche, C.S.I.
British Burma By Capt C J Forbes
The Burman By Sway Yoe.
Government Administration Reports, &c, &c

EVENTS, too recent to require more than a passing notice, have drawn general public attention to Burma, both British and Independent, its history and administration

Being in no way connected with the Government of the country, and being simply a soldier and no politician, places me so far at a disadvantage, that I am unable to speak from personal observation, but I have before me the most recently published works on the subject, together with Government Reports up to 1884. I have visited Mandalay, and been up the great river as far as Bhamo, and have been for some months collecting information on the state of King Theebaw's dominions

It is my intention to divide my subject into two parts, each of which will form a separate essay In part I, I propose to treat of the country generally—its physical geography, its people, &c., and to supplement this with a succinct account of the present condition of British Burma

Part II will be devoted to the relation of what was known of Upper or Independent Burma, before the recent transactions and events had taken place.

PART I

"Burma," writes Forbes, "including under this designation, both the British province and the Independent Kingdom of Burma extends along the eastern shore of the Bay of Bengal, from the Chittagong division of Lower Bengal to the Isthmus of Kraw. It is bounded on the east by the empire of Siam and the kingdom of Cambodia to about 21° 30 N Lat, and thence to its northernmost extremity by the Chinese province of Yunnan. Its northern boundary can hardly be defined, it apparently runs up into an angle among the snowy ranges of Eastern Thibet in about 28° N Lat Thence it stretches westerly, bordering on Upper Assam, Munipur, the Lushai Hills and the Chittagong division of Bengal to the Naaf River" It is traversed

and south by one of the greatest rivers in the world—the Irrawaddy, and by two lesser rivers, the Salween and the Sittang.

The Irrawaddy is navigable for steamers for over six hundred miles of its course, but the two latter are much impeded by shoals, rapids, &c. There are scarcely any roads worthy of the name—the rivers being for some months in the year the only sure means of communication throughout the country. Even in British Burma, which has now been in our hands for half a century or so, this is practically the case.

Between these long valleys run ranges of rocky hills, clothed, for the most part, in dense forest. These extensive tracts of woods contain some of the finest and most valuable trees in the world. The teak tree is by far the most valuable. It reaches great perfection on the hills between the Irrawaddy and Sittang, but the best teak forests are to be found along the feeders of the Bankok river in Siam. The timber when cut is floated down the rivers to the sea, and is, after rice, the most important export of the country. The trees throughout British and Upper Burma, are of vast quantity and variety, the most valuable after teak being the *pyimma Eng. Padouk Thingan*, Thitka, Petwoon, &c., some of which reach a height of over a hundred feet before the first branch is reached.

The climate of Burma resembles, in a more or less degree, that of all East littoral countries in the tropics. The moistures evaporated from the Bay of Bengal descend in the form of deluges of rain, and for many months the country is little more than a huge swamp. The rainfall, which is strangely capricicus, varies in districts from 250 to 50 or 60 inches, while in portions of Upper Burma, it does not exceed the average fall in the Indian peninsula.

Burma, on the whole, is not fatal to the health of Europeans. The damp and moist heat is exceedingly unpleasant and relaxing, but organic disease is not common, while slight fevers prevail much. The natives of the country are a thickset, sturdy people, but the Bengalees and Madrasees who have immigrated to Burma are weak and deteriorated in mind and body. Among Europeans, the healthiest are those who are entirely immersed in business. Ladies rapidly lose their complexions.

Now, a word as to the inhabitants themselves. That they are 'a peculiar people' is without doubt, and is proved by the number of books that have been written in ancient and modern times descriptive of the funny little red man, who is generally known to the Eastern world as 'Jack Burman.' Major Grant Allan's oft-quoted sketch of this individual has, in my opinion, never been equalled. "Unlike the generality of Asiatics," he says "the Burmese are not a fawning race. They are cheerful, and singularly alive to the ridiculous; buoyant, elastic, soon

recovering from personal or domestic disaster. With little feeling of patriotism they are still attached to their homes and to their families. Free from prejudices of caste or creed, they readily fraternise with strangers and at all times frankly yield to the superiority of a European. Though ignorant, they are when no mental exertion is required, inquisitive, and to a certain extent eager for information; indifferent to the shedding of blood on the part of their rulers, yet not individually cruel; temperate, abstemious and hardy, but idle, with neither fixedness of purpose nor perseverance. Discipline, or any continued em

of hucksters; not treacherous, or habitual perverters of the truth, yet credulous and given to monstrous exaggerations; where vested with authority arrogant and boastful; if unchecked corrupt, oppressive and arbitrary; not distinguished for bravery, whilst their chiefs are notorious for cowardice; indifferent shots, and though living in a country abounding in forest, not bold followers of field sport."

This description applies with fair accuracy to the entire population of Burma, but as is the case in all countries the nomadic hill tribes differ in costume and characteristics from the children of the plain, as much indeed, as do the highlanders of Scotland from the country bumpkins of the south of England.

The inhabitants of Burma may be said to be four great families or tribes. The Mons or Talaings, the Burmese, the Karens and the Shans. The first of these inhabit the lower portions of the country, Pegu and parts of Tenasserim. They are supposed to have originally immigrated from Ceylon, although some writers hold that they are the same race as the Siamese. Certain it is that the Talaing tongue is still spoken in Ceylon. Up to within a century ago the Talaings were all independent people, and had their own king and capital at Pegu. In 1760 however all this country was conquered and overrun by the Burmese from the North. Both races are now amalgamated and there is little trace of the original inhabitants of Pegu remaining.

The Karens are hill tribes who live in the mountain tracts in the northern portion of British Burma. According to Captain Forbes there are about thirty different tribes of these mountaineers. They are a fair complexioned, round faced, dirty race. They speak in various dialects, there being as many as ten within an area of fifty square miles. Little is known of the history of these people, but it has been suggested that they have immigrated from the mountains of Thibet or Western China.

The Shans are a numerous and powerful race and occupy the extensive country which stretches from Yunan to Bankok. Mr. Colquhoun, in his lately published volume, "*Among the Shans*," has given to the world a graphic account of the manners and customs of this remarkable people. They all speak the same language. They are the same race as the Siamese. In appearance, as well as in dress, manner, and occupations, they resemble the Chinese more than the Burmese. They are industrious and enterprising and are keen merchants. They are Buddhists in religion but not such blind followers of phoongee law as the Burmese. Every year large droves of ponies come down to British Burma from the Shan States and in many instances those little minature hunters of twelve hands, or thereabouts, realise prices that would delight the heart of an Australian horse dealer at Calcutta or Madras. The travellers who have of late years lived among them seem to be of opinion that the Shans are a 'Coming Race.' If to the above we add the Chins and Kachins, who dwell in the hills to the north and north-east of Upper Burma, we have all the races who inhabit the Indo-Chinese countries.

Returning to my subject of British Burma, notwithstanding the existence of a babel of tongues, Burmese is the standard language of the country and is used in the law courts, in the monasteris and in the play-houses "Professer August Schleicher's classification makes out the Burmese language to belong to the type of isolation languages, consisting of mere roots, incapable of forming compounds, and not susceptible of inflectional change. With few exceptions, all words are derived from original roots which, by being used with affixes and prefixes, are converted, without inflexion, into different parts of speech. It is written from left to right, has no division between the words, and is wholly monosyllabic, with the exception of polysyllabic words introduced from the Pali dialect, and even these are pronounced as if each syllable of them was a distinct word."

The Burmese literature consists almost entirely of love-sick plays and sacred lore. Education is almost universal amongst the Burmese but is confined wholly to the males. The monks, or *Phoongees*, are the schoolmasters of the country. There is scarcely a village without its Phoongee house, where dwell these numerous yellow-robed priests, they live on public charity, vow celibacy, and devotion to the public good. In the reign of the late king there were about twenty thousand of these gentry in Mandalay and its vicinity, or one-fifth of the entire population.

"The monastic system in Burma," says General Fytche, "has a practical interest from its being connected with national education. Every monastery has its school, where, harmony with the

national religion, are learnt the same lessons which have been
taught from generation to generation for a couple of thousand
years On arriving at some obscure spot in the
country, the first sign of life [illegible] interior of the
muring so[illegible]
not a t[illegible]
at leas[illegible] r is the mur-
[illegible] schools. [illegible] hamlet, I think, that has not
of the several means by which merit, in a Buddhistic sense, is
obtained, and has given rise to lay schools also, or as they are
called, house schools These, though comparatively few in num-
ber, as compared with monastic schools, are of great importance
as they are free from some of the disabilities which are attached
to religious seminaries, notably so in the absence of the rule
precluding the attendance of female scholars Owing to these
two classes of indigenous schools there is scarcely a man in
Burma who cannot read and write and cipher.

As has already been stated above, the Burmese, in common
with all the Indo Chinese races, profess the Buddhist religion.
They believe in an infinite succession of existences, varying in
space from the shortest insect life to incalculable periods. The
consummation devoutly to be wished is annihilation. The five
great virtues are—

1st—Not to destroy life.
2nd—Not to steal
3rd.—Not to commit adultery
4th—Not to speak falsely
5th—Not to drink intoxicating liquor.

Gaudama indicates the binding nature of these commandments
in the following unmistakable language "He who kills as
much as a bug or a louse, he who takes as much as a thread
that belongs to another, he who with a wish of desire looks
at another man's wife, he who makes a jest of what concerns
the advantage of another he who puts on his tongue as
much as the drop that would hang on a blade of grass of
anything bearing the sign of intoxicating liquor—has broken
these commandments"

The Burmese are not bigotted or narrow-minded in reli-
gious matters, and even the Phoongees are glad to discuss
religious questions with strangers But they are very firm in
their faith, and few converts to Christianity are made. When
stationed in Burma, many years ago, I came across a mission-
ary who was deploring the hopelessness of his task He
said the Burmese would, in his opinion, fall under the con-
demnation of those who 'reject the faith' I asked him to
give me an example of what he considered a case of 'rejec-
tion of the faith' He answered me thus. "I once visited a
town in Burma where dwelt a Phoongee of very high degree;

he was a sort of high priest amongst the Phoongees. He dwelt in the highest room of a lofty temple. Hearing there was an 'English Phoongee' come to the town, he asked to see me. I climed up one story after another until I had reached the chamber where the great man was seated. I found a dried and wizened old human being, seated on a mat from which he had probably not moved for years. But when he spoke I found that his mind was still clear. He said : " Now, English Phoongee, tell me all about your religion." I expounded to him the Scriptures at great length. He at last said, " well, yours is a good religion, but if I understand you aright, if I want to become a Christian I must descend from the great height to which I have climbed and be as any coolie in the street below." I said, that is so. " Then," said he, " I must reject your faith."

If we examine into the social and domestic life of the Burmese we find them utterly unlike our fellow subjects of the "Great Queen" on the other side of the Bay of Bengal. Except amongst the official class, there is no cringing and bending. They are generally frank and cheerful, like being chaffed and laughed at. Even in Upper Burma you will not often meet with unmerited insolence. The loafers about the king's palace appeared to me to be the dirtiest and most ill-mannered fellows I came across up north. The Burmese are great smokers. In this way the ladies are in no way behind their lords. I have often seen a woman take the tobacco leaf out of her mouth and place it in the mouth of her infant as it lay on her breast, the young savage puffing lustily away. Although women in Burma are not considered worth educating, they are more respected than in India. They are much more the companions and helpmates of their husbands. A wife may be made to do all the work for an idle husband, but she is not merely the slave of his passions as in Mussulman countries. You will see in Burma what you will never see in India—a man and his wife walking along a road chatting merrily to each other, and laughing at each other's jokes. No restraint is put upon their actions and they are, on the whole, faithful wives.

Divorce is easily obtained. On this subject General Fytche writes : " A code of divorce is provided for ill-assorted unions which has been pronounced by father Bigandet, the Roman Catholic Bishop of Rangoon, as a 'damnable laxity.' Amongst its provisions are, where a desire for separation is mutual, from incompatibility of temper or other causes, parties can divorce each other by an equal division of goods ; or, if one is unwilling, the other is free to go, provided all property except clothes are left behind. A woman can demand a

divorce for ill-treatment or because her husband cannot properly maintain her and he from her in the case of barrenness or infidelity Another method which is not unfrequently resorted to is that of the aggrieved parties turning priests or nuns, which at once dissolves the matrimonial bond They may return to a secular life at any time and marry, but, for the sake of appearances their return to the world is usually deferred for some months.

Serious connubial quarrels appear rarer among the Burmese than in most communities and apart from their natural good temper, the easy severance of the nuptial knot may, notwithstanding its sweeping condemnation by the good bishop, have something in its favour, *viz*, that of rendering husband and wife mutually forbearing Kissing according to Forbes, is unknown among the Burmese The women are often pretty and well favoured before childbearing but soon age and dry up This is not improbably due to the means taken after childbirth to ensure the rapid recovery of the mother As soon as the child is born, a large fire is lighted in the mother's room and before this she is kept roasting for seven days and nights

General Fytche is of opinion that this custom is connected in some way with the idea of purification Looking at the Burman in his domestic life, we find him letting all things 'slide,' and allowing himself to drift calmly on the stream of life. Shway Yoe says, "The Burman is the most calm and contented of mortals. He does not want to grow rich When he does make a large sum he spends it all on some pious work and rejoices in the thought that this will meet with reward in the next existence If he never amasses enough to build some great public work (a pagoda or phoongee kyouning, for example) he subscribes what he can and is generous in alms giving A bountiful soil will not let his children starve, and so the Burman jogs on through a cheerful existence, troubled by no anxious cares, and free from all the temptations of ambition His daily round is simple enough

In the morning after his bath, he loiters about talking to his neighbours till breakfast-time, or, perhaps, strolls out to the corner of his paddy-field and indulges in a contemplative smoke. After breakfast he probably dozes through the heat of the day, and when the shadows begin to get long, saunters about again. A semblance of regular labour appears when the paddy is being sown or the grain reaped, but even then no one is the least inclined to disturb himself for the sake of rapid work

It is sufficient that you are always certain in Burma what sort of weather you are going to have. another hot day

another wet day is as much a matter of course as the rising of the sun itself and there is, therefore, no use to hurry operations in case of change. The Burmese are inveterate gamblers, and as this generally gives rise to fights where men use edged tools, the British authorities have been obliged to make gambling punishable by law. They are also, the women especially, great play-goers. During the dry season they spend most of their time attending plays, or *pooays*, where they dance and sing and howl all night. Cock-fighting and buffaloe-fighting are favorite sports amongst the Burmese. The first is generally fatal to either combatant; but to witness the latter you will see the entire inhabitants of a village squatted on the ground in an adjoining swamp, while two huge water buffaloes push one another about in a contest which is as harmless as it is interminable.

The Burmese of to-day respect and admire Englishmen. They regard us as a great and wonderful race of men, whose prowess it would be hopeless to resist. But like most Easterns they make no attempt to understand us. Although idle and happy-go lucky themselves, they can understand others working hard to attain some definite object; they see Chinamen constantly at work, but they fail utterly to comprehend our amusement. Why a man who is rich and has a fine house, servants, and good food at his elbow, should spend entire days in the hot season toiling through mud up to his waist, with no more material gain in prospect than the acquisition of a few little long-billed birds, that could be bought in the bazar for a few annas, is a puzzle that Jack Burman will never solve.

Before proceeding to examine into the present condition of British Burma, I will cursorily refer to the history of our rule in this province.

For a clear statement as regards this portion of my subject I will quote General Fytche's words.

"The First Burmese War (1824-6) was fairly forced upon the British Government. For nearly forty years the Government of India had endured indignities, which Great Britian would never have suffered for a moment, but the Indian Government was already engaged in expensive wars against the Mahrattas, Goorkas and Pindarees and was reluctant to engage in further hostilities, which might provoke the enemies of the old East India Company to renew their attack upon the trading monopoly.

"At length, however, the Burmese officials seized an island belonging to the British Government and invaded territory which was under British protection. To submit to such aggressions was clearly out of the question and would only have led to further insults. Accordingly, the British Government was dragged into a war, which terminated, as already stated, in the annexation of Arakan and Tenasserim.

"When these provinces came into British possession in 1826 they were so depopulated and impoverished that the restoration of Burma to the Court of Ava, although opposed to all sound principle of imperial policy recommended itself to favor on financial grounds. But during the quarte

of a century that intervened between the first Burmese war of 1826 and the second Burmese war of 1852, Arakan and Tenasserim had attained a prosperity which is scarcely credible when the general immobility of Asiatic races is taken into consideration.

"In Arakan the population had increased from one hundred souls to nearly three hundred thousand. The revenue had quadrupled, being less than £25,000 in 1826 and at least £100,000 in 1852. The area of cultivation had increased from less than 70,000 acres in 1826 to more than 300,000 in 1852. In Tenasserim it will suffice to say that the ratio of progression was nearly the same.

"During the first ten years of my residence in Burma, the fertile province of Pegu, which intervened between the two British provinces of Arakan and Tenasserim was under Burmese rule, and I need scarcely add that it failed to exhibit any one of those signs of progress and prosperity which characterised the adjoining parts under British administration. Stagnation and squalor were the order of the day. The King who then filled the throne was rather a favorable type of Burmese sovereign and his reign is still regarded as a golden era. Indeed the name of Tharawadi is still familiar to every Burman and to every European residing in this country although it is but little known to the outer world, yet this potentate was a tyrannical despot, who stabbed and shot his ministers with his own hands, and who not only repudiated the treaty which had been concluded with his predecessor, but openly insulted the British Resident at his capital and defied the British Government to do its worst.

"Such provocations would have again stirred up any European power excepting our own, but we continued to endure them and they were naturally succeeded by outrages on British territory, at length, after many years of arrogant insolence on the part of the Burmese officials and vain remonstrance on the part of the British Government, the latter was compelled by a sense of its own dignity and the very instinct of self preservation to send an expedition up the Irawadi, which terminated in the annexation of the important Province of Pegu.

"It is difficult to overrate the value of this acquisition to the British Government and the increased prosperity which has thereby accrued to the people of the country. The two strips of seaboard known as Arakan and Tenasserim have been consolidated and strengthened by the annexation of the territory on the lower Irawadi, and the three divisions now form a compact province, occupying an uninterrupted line of sea coast nearly a thousand miles in length, and a water communication with the distant interior more easily navigable than the Ganges and which promises to open up a trade route of nearly equal importance to British commerce and manufactures. Indeed, it may be safely asserted that we have Pegu our possessions in Burma are of comparatively small value, but that with Pegu our territory in Burma has become one of the most prosperous provinces of our Eastern Empire.

"Upon one point only does the action taken by the Government of India in 1852 appear to me to have been open to question, and even in this direction it has been generally supposed that Lord Dalhousie acted under pressure from home. I allude to the premature withdrawal of the expedition in 1852. Had the force been allowed to remain a few weeks longer, our political relations with the Court of Ava might have been established on a lasting basis which would have proved beneficial to both States. Fortunately this result has been in a great measure achieved in later years, partly by diplomatic action and partly by a spontaneous display of friendship and confidence on the part of His Majesty the King of Ava, which was previously unknown.

"Within a period of little more than eighteen years British Burmah

thus attained a prosperity which can be favorably compared with that of any province in India, and in the latter part of 1866 or commencement of 1867 my predecessor submitted the statistical tables, already mentioned, which showed that during the ten years from 1855-56 to 1864-65 the revenue had increased from Rs. 5,317,922 per annum to Rs. 10,300 620. At the same time the population had increased from 1,252,555 to 2,196,180; the export trade from Rs. 23,241,866 to Rs. 55,555,595, and the import trade from Rs. 26,222,219 to Rs. 48,125,559."

In 1867 General Fytche concluded a commercial treaty with the Court of Mandalay by which our trade relations were ameliorated, with the healthful result of a marked activity of trade in the province. But the improvement for the next few years was not uniform, as General Fytche considers that it ought to have been, had not the Rangoon merchants been tempted to "over speculate."

British Burma of to-day is under the able management of Mr. C. E. Bernard of the Bengal Civil Service, and for its present condition I propose to quote copiously from his last published Administration Report.

With regard to the foreign relations of the Government of this province with Upper Burma little or no change has taken place for the last few years. The attempt lately made by the Government of India to form a new Commercial Treaty with King Theebaw failed and affairs remain unchanged. A French consul has taken up his quarters at Mandalay and, it is said, has been well received; but there does not appear to have been any cause for the excitement this event occasioned at Rangoon last spring.

Except as regards frontier questions, such as the extradition of criminals, &c., little communication is at present being carried on between the British and Mandalay governments. The frontiers are quiet and the Irrawaddy Flotilla Company despatch steamers monthly to Bamo.

Some important public works have been completed in this province during the past year. The Railway from Rangoon to Toungoo is now open for traffic and notwithstanding the unfavorable season of the year at which the trains commenced to run, has been working well since the beginning of the rains. The work has taken seven years to complete, but this slowness has not been due to want of energy on the part of Mr. Mathews, the Chief Engineer, but to the constant interruptions in the work owing to want of government funds.

Captain Jenkins, Assistant Commissioner, has successfully accomplished a survey of the Karen hill districts and arranged the settlements.

Surveying operations have also been in progress in all the four districts, Pegu, Arakan, Tenasserim and Tharrawaddy and the settlements are in most surveyed districts completed.

The increase of revenue resulting from the settlement up to the present time amounts to only 3·9 per cent. But the advantage of having accurate statistics of cultivation and of tenure, and the benefit conferred on the people by the removal of all uncertainty concerning the amount of the revenue demand, are more important than the financial results of the settlement.

With regard to recent legislation in this province the repeal

of the British Burma Labour Law has removed all restriction to free immigration with the result of an important increase of population. Laws have also been passed affecting gaining a Tramway Act to enable tramways worked by steam engines to be laid down in Rangoon, and a Water-works Bill, which has greatly improved the water supply of the city.

Notwithstanding the material progress of British Burma in all which relates to wealth and freedom of its people, crime, especially dacoities, has decidedly increased—strange to say this form of highway robbery is most common in the neighbourhood of Rangoon. In 1883-4 there were 23,050 cognisable offences reported, which was an increase of 8 per cent. on the previous year. Many of these have been of a very serious nature, *viz*, dacoities, robberies, cattle-lifting and theft.

The police appear to have behaved well in their endeavours to suppress crime but there is much room for improvement in their organisation. The officers are indefatigable and devoted, but the *morale* of the Burmese portion of the force is by no means of a high order. The cost of the maintenance of this force was in 1883-4 £189,255 sterling.

The police officers are of opinion that the increase in the number of dacoities is due to the influx of bad characters from Upper Burma. An ordinary dacoity is thus practised among the Burmese: a number of young sparks—as a rule not more than ten or a dozen at most—form themselves into an insignificant robber band and arm themselves with *dâhs* and in exceptional cases, firearms. Usually at night, although by no means always so, the party descends on some quiet little village where they have reason to believe there is something to be had—money is generally their aim. They make no attempt to conceal their movements. They yell, fire off their guns, and brandish their *dâhs*. They rush into the houses and demand money, which is generally produced by the terrified inmates who are only too glad to be allowed their lives. This done they decamp, shouting and singing songs, and, having divided the spoil, quickly scatter to their homes, where they are nothing more than honest tillers of the soil.

As may be imagined, it is no easy job to lay hands on these rascals. The Police report a dacoity in a certain district. The unfortunate officer—there is little rest for a time—has to be up and off in pursuit. He knows that without time not a policeman will move hand or foot. He generally selects two or three followers and, armed with a revolver penetrates jungles and swamps in search of an enemy which is far too cute to be thus clumsily entrapped.

The garrison of British Burma has not changed since the war of 1852 came to a termination by the annexation of Pegu.

There are four batteries of artillery—two garrison—two mountain. Two Regiments of British Infantry and three native regiments.

They are distributed between Rangoon and the two frontier stations of Thayetmyo and Tounghoo.

The numbers of effectives may be taken roughly at three thousand men and the annual cost of maintenance £ 274,475 sterling.

I will now proceed to consider the important subject of agriculture.

Writing in 1871, General Fytche remarks: "The leading feature in the past and present condition of British Burma is the vast excess of culturable land over land actually under cultivation. I have reason to believe that speaking in round figures, there are thirty thousand square miles of culturable land in this province which are lying waste for want of cultivators; whilst there are not more than three thousand square miles which are under cultivation.

At the same time, the population has already increased from about one million at which it apparently stood at the introduction of our rule to nearly two and a half millions. It would thus appear, *à priori*, that if two and a half millions of people can be supported by the cultivation of 3 000 square miles of land, the cultivation of the entire area of culturable waste would maintain ten times that amount of population or about 25,000,000 of peoples, whilst the great increase in the population of British Burma proves that there is a yearly immigration of Burmese, Shans, Chinese and other cognate races into British Burma driven out from their own countries by the exactions and oppressions of native rulers who are eager to cultivate new lands under the peace, protection and personal liberty which they may enjoy under British Administration and which cannot be found elsewhere throughout the Malacca peninsula."

The population of British Burma is now 3,736,771 and the amount of land under cultivation is 6,200 square miles; thus the increase in cultivation is nearly in proportion to the increase in cultivation. The chief efforts of the Agricultural Department, according to the 1883-4 report, have been devoted to attempts to introduce the cultivation of new staples and to induce the people to use improved implements for their ordinary tillage. Experimental farms have been set on foot in various parts of the country, the growing and curing of tobacco has been encouraged and attempts are being made to grow and manufacture jute in the province. The experiments at wheat growing have not been successful. Sugar cultivation is also being attempted. The people have so far not taken kindly to the use of improved agricultural implements but time will, as elsewhere, remove their prejudices in favor of the more primitive machines of the past. The failure in the rice crop last year is attributed by the Government officer to the drought in October 1883, and the storms in the following month.

The forests of the British are of considerable extent and value and the timber trade has always been a source of no small revenue to the Government. There are at present 3,346½

square miles of reserved forest and the reservation of still further tracts is under consideration The cultivation of village cutch forests is under contemplation The supply of teak has late years shown signs of exhaustion, and the greater part of this costly timber has lately come from Upper Burma but extensive plantations of young trees have been planted in various districts and are doing well

The mining operations of this province are neither considerable nor fraught with much success Tin mining is being carried on in the Mergui district for the most part, by Chinamen, who are content with small returns for their labour There are earth oil works in the Kyoukphyoo district and coal is found here and there in small quantities, notably in the neighbourhood of Thayetmyo There are few indigenous manufactures in Burma Gold and silver work has lately received much impetus and carving in wood is being vigorously carried on at Rangoon The high appreciation shown at the Calcutta Exhibit stimulated the work The schools [illegible] overwhelmed with orders for cups in [illegible] l, and finely carved cabinet work

During the past few years the chief exports from British *Burma are rice, teak cutch, cotton and hides The rice trade* forms the principal commercial work of the country The total quantity of rice exported during the years 1883, 1884 was in value £23 700 000 and 24 000 000 respectively The inland trade is chiefly with Upper Burma although smaller transactions are carried on with Karenni Chiengmai and the Shan States More than 70 per cent of the trade in Burma is carried on at Rangoon the places of next importance are Moulmein, Akyab and Bassein

The progress of engineering science in British Burma is no less the subject for the solicitude of the Government than in other provinces of our eastern empire The work of the Engineer is no sinecure here He has to cut his way through dense jungles, which for many months of the year are swamps as well He has to bridge over countless streams He has to sleep in too many cases in an improvised she derected by his handy helpmates, on the spot where his day s work is done His roadways are swept away and his bridges broken down by floods and floating logs Fever prostrates his followers, and if he escapes himself he is exceptionally fortunate Still this brave pioneer works on undaunted—his only cry being 'More money !' 'More money !' Exclusive of expenditure on State Railways the outlay on public works amounted to £444 516 in 1883 4

The expenditure on construction and maintenance of roads was £200,000. There are two or more schemes before the Government for a further extension of railway communication, but it is not likely that anything will be undertaken until the great pressure brought to bear on the finances of the Indian Government by the construction of railways on the frontier of Afganistan has been removed.

The revenue of British Burma was in 1883-4 £3,127,192, showing an increase on the previous year of 1 per cent. This would have been greater had it not been for the falling off in the customs receipts consequent on the decrease in the exports of rice. "It is worthy of notice" says the administration report "that revenue of all kinds is realised with little difficulty. Although the incidence of taxation is higher in this province than in other part of the Empire, the revenue demand does not press heavily on the people. The number of coercive processes issued in comparison with the amount of the collections is small."

The all important question of finance has been for years' and is now, more than ever a subject for, I may almost say, vexed discussion. Burma, they say, has a permanent grievance against the Government of India. She has prospered and grown rich but to what purpose? In order that her masters should pay their debts out of her hard earned savings!

For the sake of clearness in this matter I will quote the figures given in the report before me. The following tabular statement shows the gross receipts and disbursements on account of the imperial and provincial services of the province for each of the past eight years:—

Detail of Items	1876-77	1877-78	1878-79	1879-80	1880-81	1881-82	1882-83	1883-84
Gross Revenue.	£	£	£	£	£	£	£	£
Civil Department I. L. P.	1,766,102	1,744,539	1,909,915	2,149,373	2,186,430	2,478,516	2,505,735	2,639,657
Public Works Department..	6,306	39,819	109,362	121,166	152,200	172,889	172,866	180,999
Total ...	1,772,40	1,784.358	2,019,277	2,270,539	2,338,630	2,651,405	2,678,601	2,820,656

Detail of Items	1876-77	1877-78	1878-79	1879-80	1880-81	1881-82	1882-83	1883-84
Gross charges								
Civil Department	731,941	647,544	735,[illegible]	836,310	923,470	973,103	1,073,095	1,111,254
Public Works .	182,319	170,307	272,769	261,207	363,583	316,820	374,307	312,165
Total ..	887,250	817,931	1,007,287	1,097,531	1,292,983	1,292,923	1,645,972	1,637,519
Results								
Surplus in Civil Department ..	1,061,161	1,075,833	1,154,633	1,313,031	1,363,086	1,310,113	1,431,765	1,495,603
Deduct net P. W. Expenditure	176,013	110,738	163,107	149,763	217,381	333,970	401,111	332,465
Net surplus available for Military expenditure and for a share of the cost of the Central Government	885,148	965,155	991,190	1,173,068	1,015,681	1,057,111	1,033,777	1,163,137

From the foregoing statement it will be seen then that the aggregate surplus of eight years, commencing from 1876-77 has been £8,414,102. The surplus in 1876-77 was £885,148, and in 1883-84 £1,163,137, being an improvement in the latter year of 31.405 per cent.

The traffic receipts and expenditure of the Burma State Railway amounted respectively in 1883-84 to £167,717, and £102,117, as against £158,688 and £98,816 in the previous year, the surplus being £65,600 as against £59,875 in 1882-83. The interest on the capital expenditure of the Irrawaddy branch for 1883-84 was £53,601 leaving a net profit on the year's transactions of £11,999 equivalent to 4.92 per cent. on the capital expenditure in 1883-84, and to 0.9 per cent. on the total capital expenditure to the end of 1883-84. The interest on the capital expenditure on the Rangoon and Sittang branch amounted during 1883-84 to £31,717.

The net cost of troops stationed in Burma in 1883-84 is £274,474. This would leave £888,663 available for remittance to India but the net remittances actually made amounted to £1,100,000, the difference having been taken from the accumulated surplus of previous years. Thus the facts of the case are laid before the reader and they speak for themselves.

6

A few remarks on education will bring this essay to a close.

As regards the general progress of education in Burma this branch of the legislature is still under the direction o Mr. Hosdow, who has held his present post for nearly twelve years. But his zeal and energy are still unabated, which is probably due to the fact that he is still little past middle age. The experiment has lately been tried of placing the management of government schools in the hands of town committees, and the result has been satisfactory. The number of scholars in the government schools is greatly on the increase but at the examinations the number who pass is small compared with the number of candidates who offer themselves for examination. The extension of university education is under consideration. Of the monastic schools over 4,000 are under inspection. Three girls' schools have been established. Dr. Mark's school at Rangoon has of late years assumed considerable proportions; he has over four hundred pupils, boys of every age, from fifteen to thirty, of every colour and hue, and, as he proudly boasts, of fifteen nationalities. The institution is a wonderful example of what one man unaided except by public charity, can perform. The Rev. Doctor is a keen soldier and can send forth two hundred and fifty cadets armed with Martini-Henry rifles to take part in the brigade exercises at Rangoon. Such then is the British Burma of our day.

There are two important questions which are agitating the minds of the educated inhabitants of this province. The first is the great question of our relations with Upper Burma; the second is the desirability or otherwise of the emancipation of the country from the Indian Government and its establishment as a Crown Colony. The argument for and against are numerous and conflicting. Without attempting to express any opinion on either subject I would point out that the repeated stoppage of public works for want of funds has acted detrimentally to the material progress of the country. It has taken seven years to construct 155 miles of railway from Rangoon to Toungoo, and there is still no road of communication between the two frontier stations, although considerable detachments of troops have been stationed there for more than a quarter of a century.

BURMA IN 1885

PART II.

UPPER BURMA.

In my previous article on British Burma I referred cursorily to the early history of the Burmese As this article will be devoted to the description of Upper, or Independent Burma, it will be well, I think, to give the reader a slight insight into the past history of that country before proceeding to describe it as it is to day

"The Burmese," says General Fytche, "carry back their history to a very remote and fabulous antiquity The Burmese Maha Radza Weng (Chronicles of Kings) commences with describing the self-development of the world, and the appearance of man therein The system of cosmogony has, together with the Buddhist philosophy and religion, been derived from India. The history contains the Buddhist account of the first formation of human society, the election of a King, and the grant to him of a share of the produce of the soil These legends constitute to this day the foundation of the authority, temporal and spiritual of the Burmese Kings The foundation of that authority they continually refer to, and it is ever present to the minds of their subjects It is unnecessary to point out that little reliance can be placed on history drawn from such vague sources Indeed, whatever is known of the early history of Burma is derived from the writings of the first Europeans who landed on these shores

The Portuguese, the pioneers of Eastern civilisation, were the first Europeans to settle in Burma in the middle of the sixteenth century They found the country ruled by a number of more or less powerful kings, who successively ousted one another from power and seized new territory These fights were accompanied with fearful barbarities, and finding that there was much to be gained by mixing themselves up in these quarrels, they soon took an active part in them

In 1600 we hear of a Portuguese adventurer named Philip de Brito establishing himself as a sort of King in Lower Burma. This gentleman, however, was attacked, defeated and impaled by the King of Ava (the old capital of Upper Burma). Throughout the seventeenth century the history of Burma is mixed up with that of a succession of Spanish and Portuguese adventurers who, ostensibly traders were ever at work stirring up strife among the natives They generally allied them[illegible] a few hundred [illegible] or turned the scale by [illegible] on the stronger [illegible] and then demanded a heavy price for their [illegible] armed force [illegible] In brutality and rapacity these brigands were [illegible] ance.

behind the savages they fought amongst. They were generally accompanied by cruel and bigoted priests, who taught them to slay broadcast and without mercy all who refused to adopt the Roman Catholic faith.

The first of the present reigning dynasty of Kings of Ava, (Alompra) arose in 1752. He was a man of low birth but of transcendant power. Out of a succession of wars and tumults he raised himself from the degraded (according to Burmese views) profession of a hunter to be a king. In fact he was a natural leader of men, and the only Burman known to history who could, by the greatest stretch of imagination, be called a hero. He founded an empire which extended from China to Siam, including the whole of Burma, except Arakan, which was for the first time consolidated into one United State under his rule. "He founded the city of Rangoon; and it was during his reign that the British Government was first brought into political relationship with the kings of Burma. He died in 1760." No sooner had this commanding spirit passed away, than Burma became once more convulsed by internecine strife.

During the reign of Bhodan Phra, the fourth king of this line, the capital was shifted from Ava to Amarapúra, a site about six miles higher up the river. The change of capital which was rigorously enforced caused great sufferings to the unfortunate people. This Prince conquered Arakan and annexed it to the Burmese Empire. He died in 1819, and was succeeded by his grandson Phagyi-Phra, who behaved with such insolence and presumption towards the British Government, that the first Burmese war was the result. This war lasted two years. The Burmese fought with some tenacity, especially when they were ensconced behind their rough stockades; but they were finally driven northwards; and when the British troops were at the gates of the capital, a treaty of peace was concluded by which the Burmese king agreed to give up the provinces of Arakan, Tenasserim and Assam and to pay one million sterling as a war indemnity. The war on our part was not skilfully conducted, and the troops suffered much from want of provisions, 45 per cent. perishing from disease. The total loss during the war reached the enormous figure of 72½ per cent.

In 1830 a British Resident was deputed to the Burmese capital and remained there for some years with good effect. The same year Phagyi-dan was deposed by his brother Tharrawaddy, who established himself on the throne. He began by a massacre of his brother's relations and supporters, and by his insolence and arrogance, soon made his capital too hot for our representative, who was ordered to withdraw.

Three residents were despatched to Amarapúra and withdrawn successively. The last departed in 1840, when Tharrawaddy

determined to declare war on England for the recovery of his lost provinces With this sinister determination in his brain he departed for Rangoon, but on arrival there, he thought better of it and shortly afterwards returned to his capital

The state of things in Burma for the ten years that followed the withdrawal of our representative resembled, in a remarkable degree, affairs at Mandalay since the hurried departure of Mr. St. Barbe in 1876 There being no responsible Englishman at the King's Court, nothing was really known as to what was going on Every vestige of respect for the British name soon disappeared, and it was only at the risk of being shot, robbed, or bastinadoed, that British subjects could carry on business of any kind in Burmese territory The result of all this was, that in 1852 war was once more declared against the Burmese King Rangoon was captured, and the Province of Pegu added to the British possessions in the East The fighting was not important, and as in the last war, almost all our losses were due to sickness The war thus forced upon us by the silly arrogance of the Mandalay Court has happily ended in the emancipation of a couple of millions of people from a barbarous rule, and the formation of our possessions in the Malay peninsula into a compact province.

The close of the Second Burmese War was immediately followed by an insurrection in Upper Burma, which terminated in the dethronement of the king and elevation to power of hi brother, who was known as the Mendoon Prince This king proved himself to be the most prudent and enlightened ruler wh had hitherto reigned in any of the numerous capitals on th Irrawaddy The f[illegible] of his life was to recover his lost provinc of Pegu. Accordingly in the beginning of 1855, a complimen ary mission arrived at Calcutta from the King of Burm The object of this mission was to request that the province Pegu might be restored to its former owner This matter w put at rest by Lord Dalhousie in the following unmistakal language "So long," he told the envoys, "as the sun shines the heavens, so long will the British flag wave over Peg They were informed, however, that a complimentary miss would be sent to Amarapura, in return, to discuss commer and other affairs with His Majesty

"The main object of the mission," says General Fytche, " not only to establish friendly relations, but to mak[illegible] and attempt to conclude a definite treaty with the king; and fact was broadly stated at the first audience" Colonel Ph the British envoy, remained some weeks at the capital, du which time he had several audiences of the king, w every subject was discussed except the point at issue His Majesty could n word, nothing was accomplished

persuaded to put his name to any paper, and the mission returned to Rangoon, not without having done good public service by the collection of valuable information about the country and people. This is contained in the costly and profusely illustrated volume entitled "*Yule's Ava*," which will probably ever remain *a*, if not *the*, standard work on Burma. Years passed away and the capital was transferred from Amarapúra to Mandalay.

In 1862 Colonel Phayre once more proceeded to the Burmese Court. His object was very much the same as on the previous occasion—to induce the king to conclude a commercial treaty with the British Government * "The main object in view was the abolition or reduction of the frontier duties, for the purpose of opening out a new trade with Upper Burma, and, if possible, with the countries beyond. The British Government agreed to abolish the duties on their side of the frontier within a year. In return, the Burmese Government agreed to do the same, if so inclined, within two, three or four years. This was a one-sided arrangement, but it was considered necessary to educate the Burmese in the principles of free trade."

Accordingly, the treaty of 1862 was concluded on this basis. Some solid advantages were also promised under the treaty. British subjects were granted full permission to trade in any part of His Majesty's dominions; and a representative of the British Government was to reside at Mandalay to smooth down all difficulties, and remove all misunderstandings that might arise. The working of the treaty of 1862 was not satisfactory; it can scarcely be said to have worked at all. The British Government abolished the duties on their side of the frontier; the Burmese Government did nothing whatever.

The king had been glad to dismiss the English envoy in the hope of some day abolishing the duties. In like manner he dismissed the English representative at Mandalay: he was only waiting for further reports: the English were to blame: he would take an early opportunity of settling the question. In this way three or four years slipped by, and in 1866 the frontier duties were still levied by the Burmese authorities The British merchants at Rangoon, as can easily be understood, were exasperated at the delay. All this while there was a still more formidable obstacle to all attempts to open out a trade in Upper Burma. Nearly every article of produce in Upper Burma was a royal monopoly. No Burmese subject could sell grain, timber, cutch or other commodities, excepting through royal brokers, or by the express permission of the local authorities. Other difficulties also sprung up, which might have led to serious consequences. The King was well disposed towards the English, but his

* *Burma: Past and Present.*

Burma in 1885.

ls were imbued with the old arrogance towards foreigners
two disastrous wars had failed to remove. Two British
rs who had been sent into the interior to explore the
r course of the Salween river, were stopped and sent back
the Burmese authorities, in direct violation of the treaty.
tacles were thrown in the way of any attempt to explore
upper valley of the Irrawaddy, in the direction of Bamo.
ove all, an English gentleman, wearing European costume,
s insolently beaten in the streets of Mandalay for refusing to
or kneel, whilst a Burmese official, of no particular rank, was
ssing by. These complications were somehow explained away.
In 1866 another mission was determined upon but before
t could start, an insurrection broke out in Upper Burma, which
eemed likely to lead to a revolution at the Court of Mandalay.
Although the dynasty of Alompra has been maintained for
more than a century, the kingdom had been constantly exposed
to palace revolutions. Not unfrequently a reigning king has
been suddenly deposed and another sovereign set up in his
stead. Instances have already been narrated of similar out-
breaks in connection with the reigns of Phagyidau, Tharra-
waddy, and the present king. The attempted revolution
of 1866 was of this type. The King had favoured his
brother, the Kanoung Meng, who had assisted to place him
on the throne at the expense of his sons. He had appoint-
ed his brother to be Jeng she Meng or Crown Prince.
He had placed his sons, after they came of age, entirely
under the control of the Crown Prince. His sons complained
of the harsh treatment and tyranny of their uncle. Two of
them formed a conspiracy against him.
The king had left the palace in the city of Mandalay and
gone out to a summer palace about three miles off. On the
2nd of August 1866, when the Woongees and other officials, with
the Crown Prince as President, were assembled holding council
in the temporary Hlwat-dau, situated close to the gates of
the palace, the two princes suddenly rushed in with about thirty
armed followers. The Crown Prince and one of the ministers
were killed on the spot. Two other princes who stood ne
in succession after the Crown Prince, were also slain. So rap
was the slaughter in the Hlwat-dau, and so great the pr
and consternation caused by this sudden and unexpec
attack, that before the palace gates could be closed, the re
princes and their followers had made good their en
into the interior enclosure of the palace. The K
warned fortunately, however, by one of the queens who
been alarmed by the noise succeeded in making his escap
foot to the palace within the city. The summer palace
given up to plunder, but the rebel princes, on disco

the king's escape, withdrew their men in pursuit of the king and reached the city palace only a few minutes after his arrival. They besieged the city palace until the following morning when they were driven off by a strong detachment of the late Crown Prince troops. Captain Sladen, the British representative at Mandalay, was in the summer palace at the time the outbreak occurred. Of course it was impossible for him, or for any one else, to foretell the result. He escaped with his life from the infuriated rebels, and made his way to the British Residency. There he found a crowd of Burmese and others in the Residency compound. It was evident that during the insurrection the Burmese considered themselves more secure on the premises of the British representative than in their own houses. Captain Sladen remained at Mandalay for seven days after the commencement of the outbreak, but great anarchy and disorganisation still prevailing, and being informed by the king that he could not guarantee either the safety of the lives or the property of the European residents, he embarked with nearly the whole of them, with such property as they could hastily gather together, on board a British merchant steamer, then fortunately lying off Mandalay, and proceeded down the Irrawaddy to Rangoon, which was reached without opposition. This steamer the King had been employing against the rebels contrary to the wish of the British Resident, and it required some considerable tact and caution on the part of Captain Sladen to regain possession of her without bringing on an actual collision with the king's troops. The insurrection was suppressed, but the rebel princes having seized one of the king's steamers escaped down the Irrawaddy into British territory."

The old King now found himself once more master of the situation; and although at the end of the year Colonel Phayre once more proceeded to Mandalay with the object of getting His Majesty to put his name to a treaty, the Chief Commissioner was obliged to return to Rangoon without having accomplished anything.

In 1867 Colonel Fytche, who had succeeded Colonel Phayre, conducted a mission to Mandalay. Something was really accomplished this time; at least certain promises were made and a treaty signed. This treaty provided for the utmost freedom as regards commercial intercourse between the people of the two countries; for the permanent residence of a political agent at the court of Mandalay, who was to be the medium of all official communications between the British Government and the King of Ava and his ministers; and for the establishment of a court, in which the political agent had the power to adjudicate in all such cases in which British subjects were alone concerned and in which a Burman official of high

ts on the same bench for the adjudication of all civil
n which both Burmese and British subjects are concerned
ver, under this treaty the King gave up his more
sive monopolies and measures were carried out for the
ng of the old trade route with Western China by which
mer years a considerable trade had been carried on be
n Burma and Yunnan

is Majesty of the Golden Feet seems to have made a
l impression on the Chief Commissioner He says
he King is doubtless one of the most enlightened monarchs
t has ever sat on the Burmese throne and his reign has
been disgraced like his predecessors by wanton atrocities
l wild excesses He is polished in his manner has consi
rable knowledge of the affairs of state and the history and
atistics of his own and other countries How or when the
ing picked up his knowledge of affairs it is not easy to conjec
ure but certain it is that he had good information on what
was going on in Europe and Asia

The Rev Dr Marks who was head of a boys school at
Mandalay, when I visited the capital in 1871 and who has
always been, and still is a power in Burma has given me the
following graphic account of a conversation which took place
between His Majesty and himself on a certain occasion —

The King loved to talk to the English phongee as he called
the Rev Doctor The ostensible subject was the education
of his countless sons—he had about seventy in all—but really
most of the audiences was devoted to pumping the missionary
on the state of the English pulse

King— Marks it's a long time since you have been home to
England?

Dr Marks—Yes your Majesty, my duties as a missionary
and schoolmaster keep me pretty busy here.

King—Ah! But it is good for us all to visit our home
and friends occasionally I think you ought to go home
soon—when will you go?

Dr Marks—Well sir, I might possibly think of going home
next year

King—(*Much pleased*) Yes I think you ought Now tell
me Marks—you and I have always been good friends—will
you take home one of my sons I want him to be presented
to the Queen of England Come! I will send you home in
my own private steamer

Dr Marks—I fear I could not undertake such a charge
your Majesty I dare not do so without the consent of the
British Government Again I fear the Queen of England
would not receive me May I ask your Majesty what good
could come of it at all

King.—(*After much beating about the bush.*) Marks, I want my son to ask the Queen to give me back the province of Pegu and Rangoon.

Dr. Marks.—Your Majesty, it would be useless. The English *never* restore territory. I cannot consent to undertake charge of your son.

King.—(*In a rage.*) Then, what are you here for? Why have I talked to you as a friend. You are no friend of mine. Why have I built you a school and a church? Do you think I am to get nothing in return? You can go.

"Although," said Dr. Marks, "he had been in the habit of sending for me on all possible occasions to ask my advice upon the most trivial matters, he never would see me again. Some time after this event, when in conversation with several Burmese officials, a message arrived for me from the king to the effect that I had better leave Mandalay at once or His Majesty would not be responsible for my life. The message was given out loud, and some of the officials laughed. I said, coolly, 'you can tell His Majesty that I shall not leave the capital until the time for which I originally arranged to stay has expired, and, in the meantime, my life is as secure as that of His Majesty." The Burmese officials seemed petrified at my temerity, but I walked off to my school, apparently quite unconcerned. The next day all the royal princes were withdrawn from the school, but otherwise, everything went on as usual. I never heard any more about the matter, and in the following February I closed my school and departed for Rangoon, whither many of my pupils have followed me."

The present King, Thee Bau, was a pupil in Dr. Marks' school when I visited Mandalay in 1871. He was then a lad of about thirteen or fourteen and had the character of being a rather clever, morose boy—not caring for the companionship of his brothers. by all of whom he was hated.

Affairs jogged along somehow at the Burmese capital till 1878, when the old King gave unmistakable signs that his end was approaching. In a pamphlet, which is before me, entitled "Upper Burma under King Thee Bau," will be found an account of the hitherto not very successful reign of that monarch. It would appear that in September 1878 the King became so seriously ill that little hope was entertained of his recovery. The question of a successor naturally arose. The rightful heir was the king's eldest son—the Nyoung Yanr prince—who Dr. Marks describes as a fine, manly youth. But not for the first time in history a woman, one of the king's wives—had determined that it should be otherwise. Thee Bau had just married his half-sister, the princess Soopayah Lat, and her mother, an unscrupulous and clever *intrigante*, determined that

her son in law should be made king She sent for the Won Meng Ghee, or chief minister, a very old man and terrified him into a promise to support her man The king died and Thee Bau was placed on the throne His two elder brothers expecting to be murdered took refuge in the British Residency and from thence made their way on to a steamer and were conveyed to Rangoon

"Directly after the fact of the Meng Done Meng's death and Thee Bau's accession" writes Mr Woolton "a most wonderful manifesto emanated from the king and his advisers It set forth that Thee Bau was about to govern by means of a council that all monopolies were to be abolished and that henceforward peace and prosperity were to reign undisturbed from Mandalay to Bhamo The good faith of these protestations on behalf of the young king was accepted without question But a change was not long in coming In February 1879 news of the terrible disaster of Isandhlana was telegraphed over the world Thee Bau believed and rightly as the sequel proved that the time had come for him to secure himself on the throne without any interference on the part of the British He at once threw off the mask, and in a few days eighty six of his blood relations had been either battered or choked to death or buried alive, and a large number of their friends had perished with them"

It would serve no purpose to enter into details as the above quoted writer does, of the horrible barbarities committed at this and other massacres The fact was on this occasion the princes and their wives and families were decoyed into the palace and then handed over to the diabolical ruffians who pass for soldiers at Mandalay The women were violated then chopped to pieces and the men battered to death with sticks and thrown down wells. The Resident, Mr Shaw, remonstrated but to no effect He was not supported and little notice was taken of his appeals The princes dead, Thee Bau sat firm on his throne but there was no security for life and property at Mandalay Mr Shaw died in the following June Colonel Horace Browne perhaps the boldest and most able officer in the Commission, was next despatched to the capital but finding himself a nonentity, almost at once applied to be relieved Mr St Barbe next took charge of the Residency but finding his life and property in hourly danger put himself on board a steamer and departed down country He was accompanied by all the Europeans who wished to leave. It was thus that the representative of an empire on whose might the sun never sets was allowed to be treated by a savage usurper The Residency was abolished and since that time no representative of the British Empire has been allowed to watch

over our interest at the Burmese Court. In 1880, after what is known as the British policy of "repose and defence" was made known to the king, another horrible massacre occurred at Mandalay.

The object of the crime seems to have been to appease the offended Nats and stave off a terrible epidemic of small-pox which was ravaging the city. Five hundred victims were secured, amidst a general stampede from the city, but it is believed that not more than two hundred were offered up as a human sacrifice to the fractious wooden gods. In May of the same year, one of the exiled princes made his way into Upper Burma from Calcutta, but nothing came of his attempt to oust Thee Bau. In the following year domestic troubles overtook the 'Phoongee king.'* His young wife, who soon showed herself to be her mother's daughter, presented him with a son and heir amidst great rejoicings. The child died, and on the two following years daughters only were born to him. He was determined not to stand this, and while his young wife was still in the doctor's hands, after the birth of her second daughter, he unfeelingly married another girl. The aggrieved young queen was equal to the occasion. She arose from her bed of sickness, and she and her diabolical mother proceeded to have their revenge. The poor girl was murdered, and her father—a high minister of state—was cast into prison, where it is supposed he has long since succumbed to royal treachery. These two women entirely ruled the roost at Mandalay up to a very recent period. Every one feared them, and well they might.

On the 21st September 1884, the last massacre that has disgraced the reign of Thee Bau, took place at Mandalay. It is thus described by an eye-witness: "A dreadful massacre occurred here on Sunday evening; the Government have endeavoured to make it appear as merely the suppression of a jail outbreak, headed by a band of desperate dacoits, but I have every reason to believe that this is far from the truth. In fact, instead of posing as the representatives and vindicators of law and order, there is no doubt that the king and his ministers ought to be denounced as the butchers who carried out one of the most unjustifiable and cruel massacres of ancient or modern times. So far from the incident having come upon the Government unexpectedly, there is every reason to believe that it was the result of a preconcerted plan concocted by themselves. I believe that the scheme

* When a boy at Marks' school Thee Bau was nicknamed "The Phoongee" by his brothers. The story goes that his mother was much given to the society of a certain "spiritual adviser" some months previous to the young prince's birth.

ted with some of the ministers who have been coquet-ith the Mengoon Prince Some of their followers, who in their confidence, had been unfortunate enough to get prison, and their patrons became afraid that they would hase their freedom by disclosing inconvenient secrets se ministers, therefore, went to the King and told him that y believed a number of desperate characters in the jail d been conspiring against him, and although they were in stody, their departure to Neikban was desirable, in case rising occurred, which might lead to their escape and their oining the Mengoon Prince Combined with the reports of the Mengoon's escape from Pondicherry, this naturally incensed as well as alarmed King Thee Baw, who was anxious for the immediate and wholesale execution of the rebels against his authority. The ministers, however, represented to him that in view of the present relations of Ava with Britain and France, a vulgar and barbarous massacre would not be politic, and that a little diplomacy should be used Accordingly word was sent by a confidential man to the jailor that he might liberate such and such prisoners As soon as he acted on these orders, another officer roused the jail guard to quell the 'outbreak,' and the first man killed was the jailor himself, who was best out of the way on the principle that, 'dead men tell no tales No sooner were the first shots fired than the ministers and officials swarmed round from all quarters, the troops arrived from the palace, and the slaughter began A number of the fugitives who had got out-side the jail were pursued and cut down in the streets, whils those who remained in the jail were shot down mercilessl without distinction To make sure that none of the victim should escape and that no assistance should reach them fro outside, the city gates were closed from 4 till 10 o'clock The scene that then occurred at the jail baffles descriptio the poor wretches inside it would not come out, and the m sters who sought their lives set fire to the building on the side of the palace, and then murdered their victims, one by as they fled from the flames. No mercy was shown to age or sex, and a number of those butchered were not prisoners, but people who had gone to see their friend carry food to them I am confident that at least three h people were massacred, amongst whom were eleven three Chinamen, one Hindoo, two Chittagonians, some S two Young Princes and one Phoongee I believe th only eleven dacoits altogether in the jail, they were and amongst them Yanmin, a desperate character account of his skill and bravery, was liberated some t quell the Shan rebellion, but who, instead, again took account and was again captured This

man who shot pilot Jefferson of the Flotilla Company's service some two years ago.

In the jail were the Mooneah Mee Byah, the grandson of the Maloon Prince, (called the Minepyin Prince) and the grandson of the Intiahmin. The first, who was very ill, was carried out by his sister who was also a prisoner.

While the butchery was going on, the king sent to enquire if the two princes were still alive ; the answer was "yes" ; but as might have been expected when he sent a second time they were no more. Their heads are now hanging in the cemetery along with that of the Yanmin. The sequel to the massacre was as horrible as that ghastly incident itself. Some of the heads of the victims were stuck upon bamboos in the cemetery and others were carried through the streets on poles. The scene at the cemetery when I visited it was appalling. The king gave orders that the dead were not to be buried for two or three days, so that all the people might see what a terrible thing it was to incur his displeasure ; and there were the mutilated bodies lying in ghastly and festering heaps, some of them not only riddled with shot, but hacked to pieces with dahs, past all recognition ; whilst a number of fiends in human shape were actually chopping off arms and legs to save the manacles and shackles. Not only that, but the dead and dying had been carted off and the quivering of a limb told that the death agony was not yet over. When I visited the cemetery the work of interment had begun, and the carcases were being huddled four and five together into shallow graves with no more than a foot of earth to cover them. The pigs and pariahs had already been feasting on the slain, and their banquet was continued after the sextons had withdrawn. In striking contrast to this horrible picture, I saw little children playing about, all unconscious of their dreadful surroundings. Meantime the ruffian king and court have been holding high festival over the event to divert the people from thoughts of the true significance of the massacre, and make them regard it as the triumph of the nation over the nation's foes. Poays are being held nightly and the Parsee Theatrical Company have just arrived, and in good time, to make sport in the palace. Ministers are swaggering about on elephants, and the wretched passers-by dare hardly lift their heads from the dust whilst in their presence : boats with bands of music on board are numerous on the river. A king's steamer, gaily decorated, was sent down to Lagain and excursionists invited to take free passages ; and the king has rewarded all those who took part in the slaughter—the butcher who could boast of the most victims receiving the richest reward."

Making all allowance for the usual exaggeration of statement which is peculiar to accounts of events written under

tances of excitement, not to say of bodily peril to the it seems pretty clear from the above story that it was of false clemency on the part of a powerful, civilising to allow such barbarities to go on on its border excitement has taken place at Mandalay during the past , but no one has the slightest confidence in the permanence ny institution connected with the state. As regards the con- ution of the Burmese government and the various depart- nts of the state about which I now propose to write little or change has taken place within the memory of the oldest inhabitant

The king is an absolute monarch whose word is law He has power of life and death and his decree is indisputable Nominally, however there is a regularly established system of Government. This is composed of two councils a public one and a privy one The first is known as the Hloot dan and is composed of the principal Woongees or ministers of state. It is held outside the palace enclosure so as to give the idea of a certain amount of independence and combines the functions of a house of legislature, a cabinet and a supreme court of justice The king is the nominal president of this Court but seldom or never takes his seat during any deliberations He prefers to stand aloof and overrule or agree at his royal will

There are in all fourteen grades of ministers Most of those have their own private offices where small transactions are negociated but they generally assemble at the king's gate to transact important business In the case of a campaign one of these functionaries would probably be charged with the conduc[t] of the military operations The second chamber is compo[sed] of the immediate advisers of the king The royal decre[es] are first discussed in this body and then communicated to t[he] Hloot dan *

After the Woongees come the Myinzoogyee Woon and Atheewoon The former is the commandant of the ki[ng's] cavalry—ragged fellows mounted on still more ragged pon[ies] and the latter has the charge and protection of all civil [...] Next to these are the Woondouks who Mr Pilcher t[hinks] may be designated "Under Secretaries of State" I [...] the e has a department assigned to him, of which he [is] virtual governor The term Woondouk is also applied [to] governors themselves, and is a title given for service to t[he] [...] in any capacity Next to the Woondouks come the Nak[...] or "Royal listeners" They are a sort of "King's Mes[sengers]"

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* Mr Pilcher [illegible]

Next come in regular order a long list of smaller fry, royal clerks, writers, public works officers, oaths recorders, door-keepers, &c., &c., all of whom swagger about Mandalay puffed up with their own importance.

The principal officers of the Privy Council are or were the following: Their place of assembly is within the palace enclosure. It is called the byeh-dyke, or "bachelor's chamber." The first ministers of this assembly are the Atwin Woons. Their duty is ostensibly to conduct business connected with the palace, but really to carry the king's commands to the Hloot-dan, and to conduct the members of that body into the presence of the king when they are wanted. Next to the Atwin Woons are the Thandawzins. They write down all the proceedings of this chamber for the information of the Hloot-dan. Besides the above mentioned bodies there is also, in the palace, the Thway-dike or Treasury. The civil and criminal courts of justice are outside the palace enclosure.

Mr. Pilcher, who for some time sat as judge in a mixed court at Mandalay, thus describes the Burmese manner of administering justice at the capital:—"The civil court deals with important business arising in the capital, and hears appeals from provincial and subordinate courts. Appeals relating to landed property and hereditary offices, however, go to the Hloot, from whose jurisdiction no civil case is, at least in theory, excluded. The criminal court disposes of cases arising in the city of Mandalay, but not appeals. All criminal appeals also go to the Hloot; judicial business is then, on occasion, transacted with great solemnity. When the Crown Prince or any other member of the Royal Family presides, the suitors, or their advocates, are alone allowed to appear in the first instance, the general public being excluded. Both parties must be suitably dressed, and before they appear, they are given long, loose, white coats to wear and caps, of which the plaintiff's is green and the defendant's is red. These are provided at the public expense and are kept at the courts. They are usually worn merely by the advocates for the parties. The members of the council themselves never appear without their proper uniform: a fillet of white muslin round the head, and a loose muslin gown over a tight-fitting, white cotton coat. The analogy between the coats and caps and a barrister's wig and gown scarcely needs to be suggested.

The Myo Woons, or district officers, practically exercise full civil and criminal jurisdiction in all ordinary suits. Appeals in criminal cases, though under certain circumstances they are allowed, are said to be especially rare. Punishments are inflicted at the discretion of the judge, there being no penal code. In most instances the offender can get off with a fine, or at least a money payment. Sometimes, again, when crime has

o rise as to attract special attention, punishments more than ordinary are awarded If, as sometimes happens, a et officer has been unusually severe and is called to account, an generally excuse himself on the ground that his "hand hed further than he intended," that is to say, that he acted ith—his zeal carried him away

Of Burmese ideas about the administration of civil justice I d a good opportunity of learning something during my stay Mandalay for I then sat, once a week or so, with a Burmese udge in a mixed court The character of judges for impartial-y is not held in such high esteem amongst the Burmese as amongst ourselves And though they use the laws of Menu to some extent as a civil code their procedure is, of course of their own making Hence it is not surprising that in deciding civil suits, the principal aim of the judge is, if possible to satisfy both parties the result being in almost all cases a compromise, and that ordeal is a recognised mode of determining disputes I may here remark that oaths are not used as in our courts, on ordinary occasions They are regarded as a kind of ordeal in themselves, and are only taken in the last resort by one of the parties on the agreement of the other to be bound by the result. The oath is taken with great solemnity before the altar, and a sort of festival is held on the occasion the parties and their friends going with a band, in holiday attire, to the temple The Burmese say there are six classes of judges First, there are the parties themselves who may agree together to some decision of their cause Secondly, they may appoint one or more arbitrators of their own Thirdly, there is the unpaid, but officially appoint-ed and recognised, arbitrator whose court is termed Khong Above this are the court of the district officer, then the chie civil court at the capital, and finally, the King, whose authori is mostly exercised through the Hloot The commencement a suit in court is by the presentation of a written plaint, which the judge commonly orders an assistant, called sa khan, or "listener," to enquire into the case and rep The *sa khan* examines the parties, and perhaps their nesses and presents his report With this the parties sa their pleadings, *i.e.* full statements of cause of action, reply or defence A day is then appointed for hearing, cases are chosen, and the case is heard After the necessa amination of the parties and their witnesses, issues are by the judge, who at the same time declares on whe burden of proof lies Thus the order runs "let the prove so and so" Witnesses are examined after th judgment is given If the parties agree to abide by t if they both "eat tea" and the judgment thus becor t agree, they may appeal to a higher

court. Sometimes if the worsted party is considered unreasonable and contumacious, he is imprisoned for a time to compel him to "eat tea," and accept the court's decision. The oath ordeal is often proposed by one of the parties themselves.

The Burmese are a very religious people and regard an oath with some dread. They are not litigious or quarrelsome; and thus A often says, if B will swear to his version of the story, I will be satisfied.

There are three other forms of ordeal. In one, two candles, one for each party, of equal size, and with equally thick wicks, are solemnly burnt on an altar in a temple, the deity having been first invoked, and the party is worsted whose candle goes out first. In another each man's fore-finger is wrapped round with feathers so as to leave the tip exposed. The fore-fingers are plunged in molten lead and then tied up for a few days. If one party is injured and the other is not, the former loses. If there is difficulty in deciding which is more hurt, the fingers are pricked and the flow of serum from the one finger and not from the other determines the point. The third kind of ordeal is by water. The two parties go into sufficiently deep water, and their heads are pushed down with poles. He wins who can remain under longest. At the present time it is allowed to undergo this and, I suppose, other ordeals by deputy—a permission which seems to detract a little from their value; but indeed they are not often resorted to. When Crawford visited Ava in 1826, however, this could hardly have been the case, for he gives details of the various fees payable to those who assisted at the ordeals. Fees and presents were, at least in his day, so common, that to take a man to court was to inflict a grievous injury on him. And, indeed, in the present day too, the word "case" or "suit" has the same significant annotation he ascribes to it.

The revenues in Upper Burma are collected, according to all accounts, without any difficulty by the Government. The principal tax is the house or family tax. In British Burma all householders in a village, rich and poor, pay the same tax. The reverse is the case in Upper Burma. The tax is assessed by the Mandalay authorities in accordance with what they consider the householders can afford to pay. In fact, in theory, it is an income tax. This system Mr. Pilcher seems to approve of. "In fertile, prosperous tracts of country within easy reach of river communications, the highest rate prevails, and in proportion as a district enjoys these and the like advantages in a less degree, the rate is lighter." Thus he points out that the subjects of the king of Burma enjoy "political freedom." But do they? As far as I can ascertain from men who know the country well and have lived among the people, this system is thoroughly

bad, as it leaves loopholes for all sorts of extortion and tyranny on the part of the local authorities who are charged with collection of the taxes. The Burmese themselves say, "it is no use to become rich—if you do the king takes your money." For this reason and mainly for this reason I opine there is not a vestige of enterprize amongst the subjects of His Majesty. To their natural apathy is added the belief that they will not be allowed to hold any money that they may accumulate; consequently they never try. All the contracts &c which are done at Mandalay, are in the hands of natives of India and Chinamen who come under the head of "foreigners," and thus do not come much into contact with the Burmese governors. According to Colonel Yule there are numerous exemptions from the above mentioned tax. On account of military service, as mechanics, for personal service, in forwarding *despatches*, as *tillers of royal domains, &c. &c.* The tax on agriculture, the same writer says, is generally levied in kind. So many bags of rice go to the Government officials and in some cases pepper, onions and other vegetables. This tax amounts to as much as forty per cent in certain districts but generally not more. Mr Pilcher says that the land tax has practically ceased to exist.

The military resources of Upper Burma are as they were when I visited the capital in 1871. My report will be found in the Journal of the United Service Institutions of England and India and in the Intelligence Department Report on Burma. From what I observed at the time, I wrote the following:

"The guns were numerous but were in an unserviceable condition and I was informed that there was no ammunition but that in case of war plenty could be obtained. There were no trained gunners. There were a couple of thousand stands of arms—old muskets, rifles and double barrelled guns all mixed up together in the arm racks. They were rusty, and shamefully kept. The palace was guarded regularly by sentries who strolled about or squatted under the verandahs, and appeared too lazy even to be attracted by the brilliant uniform of my companion—an officer in the Indian Navy. I also saw that the king could not assemble more than 3000 trained soldiers for the defence of the place but of course this number would be supplemented by raw levies raised in the vicinity of the capital and drawn in from the country. There is no cavalry to speak of, the country not being suited for their use."

I really don't think there is much more to be said on the subject of King Thee Baw's fighting power. I have several written opinions before me and have lately received verbal opinions from those who have recently been in Upper Burma, but they all differ. Some say the king has 30,000 loyal followers—others

that he has only a few hundreds. The fact is there is little or no regular army, and His Majesty's defensive power would depend, in case of need, on his own popularity with his subjects and the activity of his enemy in bringing about early successes.

I will now refer to the physical features of Upper Burma, as far as my knowledge goes. It would not be wide of the mark to say that the rule of the Burmese King was limited to both banks of the Irrawaddy, from the British frontier to Bamo, a distance, roughly speaking, of four hundred mies of river, navigable for steamers during a considerable portion of the year. Inland, the country is for the most part thickly clothed in bush, hilly, rocky and sparsely populated. I will quote from my own report :—

"The town and fort of Thayetmyo is the most northerly point occupied by British troops. The river here is about a mile-and-a-half in width at the end of the monsoon, of which time I write, but much less in the dry weather, and the current is at all times powerful. Travelling northwards a lofty range of hills lines the left bank for some fifteen miles, when it takes a westerly direction. The east bank is low and covered with thick jungle. Many villages appear on both banks, but there is no sign of extensive cultivation. From this point, until the town of Mengla is reached, the course of the stream, divided into two channels, is twisting and irregular—the banks lofty and wooded. The Burmese made a stand here in the war of 1826. A few miles north of this town another stand was made by the Burmese, who erected a stockade on the neck of land formed by the junction of the Irrawaddy and the Yen river. The next places of importance are Mugway, on the left bank, and Memboo on the right, both considerable towns. The height surrounding those places are thickly studded with white pagodas. Memboo is the nearest point to the Arug pass which leads over the Arakan Hills into Arakan. Twenty miles further north is another pass, which General Morrison tried unsuccessfully to cross with his army in 1826.

Ye-nan-Jioung, situated in an inlet of the great sandstone cliffs is celebrated for its petroleum wells. The character of the country now changes; the thick jungles disappear, and the country has a parched and inhospitable appearance. On the left bank is the site of the ancient sacred city of Pagan—a space of seven miles in length and two in breadth, being literally covered with the ruins of pagodas and temples of every conceivable shape and size and in all stages of decay; these remains point to the fact that this city must have been at one time the centre of a populous and wealthy district. It was at this place that the Burmese made their last attempt to check Sir Archibald Campbell's force in 1826.

The river here is about three miles in width and continues to flow due south from a point fifty miles north of Pagan. Here the course of the stream is westwards and after steering an easterly course for a few miles, the upward bound traveller comes in sight of the ruins of the ancient capital which has given its name to the kingdom of His Majesty of the "Golden Feet."

Nothing now remains of Ava but crumbling walls, rotten stockades, and shapeless mounds of earth which once were parapets. It is strongly situated by nature, being *surrounded* by water on three sides. Opposite Ava, embosomed in a thick wood, lie the ruins of Tsagain, another ancient capital. Next, a few miles northwards, we come in sight of Amarapúra, the late capital, only discarded by the late King in 1858. The wall and ditch which formed the defences of the city still remain in fair preservation but the place has been almost entirely deserted by the Burmese and is chiefly occupied by Chinamen. Mandalay, some seven miles further north, is the present capital of Burma, and is situated about two miles from the river's bank, at the foot of an isolated hill 600 feet in height, and now crowned by several Buddhist temples. The city is laid out in a perfect square, the sides of which run due north and south, east and west, and are as near as possible, one mile in length. It is rendered secure against attack in the following manner.*

A solid brick wall, about 25 feet in height, and 3 feet in thickness surrounds the city, behind this an earthen parapet about 30 feet thick has been thrown up, which being raised to within four feet of the top is allowed to slope away towards the interior, no revetment being attempted. There is little attempt at flanking defence at intervals of about 150 paces buttresses protruding, while at the angles two of these meeting have something the form of a bastion. The wall is not loop-holed or provided with embrasures for guns, the top being crenellated after the fashion of our ancient castles. Each of the four sides of this wall and rampart is provided with three gateways constructed of masonry of immense thickness and solidity. The gate, which is in the centre of the passage, which is about fifteen feet in width, is of teak and studded with iron nails and is about twenty feet in height and one in thickness. All the twelve gateways are similar in construction, and are protected on the outside by traverses of solid masonry so placed as to completely cover the passage. A moat of about a hundred feet in width and six or seven in depth encircles the city, the escarp of the ditch being cut at about sixty feet from the wall, leaving a fine road between. This moat is kept full of water

* Since this was written the [illegible] have commenced an [illegible] near the [illegible] to [illegible] the [illegible] of defence.

all the year round. There is one bridge across this moat on the south, east and north sides, and on the west side two. The roads inside the city are wide but un-macadamised, being much broken up at places. They run in the same direction as the walls, dividing the city into rectangular blocks of houses.

In the centre of the city is the palace. It is about three hundred and fifty yards square, and surrounded by a stockade about twenty feet in height, constructed of teak stakes, nine inches in diameter, firmly bound together by bars of the same wood passing through them horizontally. The palace is divided into three enclosures. There is a brick wall inside the stockade, then an esplanade of considerable width, then another brick wall, when the inner enclosure is reached. There are three entrances to the palace; the main, and only public one, being situated in the centre of the east side; the two smaller ones are near the eastern ends of the northern and southern faces. The reception hall of His Majesty is remarkable for its barbaric splendour—gold-leaf and dirt being mixed up indiscriminately. The whole of the arms, ammunition, &c., are stored in the inner enclosure. The inhabitants of Mandalay number about twenty thousand within the city and three times that number without; the population is made up of Shans, Siamese, Chinese and Burmese, supplemented by natives of India, Munipoor and Chittagong. During the reign of the late king there were said to be twenty thousand phoongees in and around the city. From the isolated hill on the north-east corner of the city a fine view is obtained of the surrounding country. At your feet is the square city with its interminable suburbs spread out like a panorama; the Shan mountains to the west, the Tsagain hills to the east; the windings of the mighty river between, with its numerous islands, its quaintly-shaped boats and temple-studded banks, is a sight once seen, not easily to be forgotten.

The Isagain hills contain quantities of valuable marble, and continue to follow the course of the stream northward for about fifteen miles, where they die off into gentle undulations. At the foot of these hills lie the remains of the famous Mengoon pagoda—one of the largest masses of solid masonry in the world. Here also is an enormous bell, said to be the largest in the world, after that of Moscow cathedral. It is ninety tons in weight or fourteen times as large as the great bell of St. Paul's.

Still northward bound we leave on our right the fertile district of Madara, whence most of the fruit and vegetables consumed in the city are obtained. To the westward the country is undulating and clothed in dense woods. On the east bank is a small town, Singu-myo, whence a road leads to

the principal ruby mines. The stream here becomes contracted to from three hundred to four hundred yards across; the banks are high and covered with forest. There is little or no cultivation, even in the vicinity of the villages, while the numerous fishing apparatus that may be seen along both banks denote pretty clearly that the inhabitants trust to the finny tribe for subsistence. The hills in the neighbourhood are said to contain gold, silver, and precious stones. Extensive mines lie about thirty miles to the eastward.

The "lower defile" cleared, the stream once more widens out, navigation becoming no easy matter in consequence of the sandbanks and low sandy islands. The villages here are small and the absence of pagodas marked.

Tagoung and old Pagan were once royal cities and some of the old walls, &c., still remain. Above these places the Irrawaddy is joined by two considerable rivers, the Shwe-lee and Delun, and the banks continue to be low and swampy until the southern end of the second defile is reached. Near here is the sand island of Shwegoo, held in great veneration by the Burmese and positively a forest of pagodas. The scenery throughout the second defile is exceedingly picturesque and striking; precipitous rocks three hundred feet in height, and clothed in thick bush, tower over head, while the navigation of the great river, confined to a narrow bed, hissing, boiling and forming itself into huge eddies, becomes a matter of no small difficulty.

After a prolonged struggle the brave little steamer beat the foaming torrent, and we emerged on to a broad lake-like expanse of water on the eastern shore of which Bhamo, our destination, appeared. I landed and made a sketch of the place. It could never have been of any importance or population. It was surrounded by a stockade on the land side, and a considerable portion of the town was occupied by Chinamen. Bhamo is in lat. 23 55′ 23″. The suburbs outside the town extend for some distance along shore, the residence of the British Political Agent, now building, being on a knoll at the northern extremity.

The confluence of the Taping with the Irrawaddy takes place a couple of miles above Bhamo. This river, rising in the mountains, far away to the north-east, passes through a gorge at the head of the Sanda valley, then finding its way through the Kakhyen mountains pours over a rocky bed and finally assuming the proportion and character of a large river, empties itself into the Irrawaddy. It is only navigable for about twenty miles, after which are rapids.

The proposed trade route about which so much has been written—"Through Burma to Western China," [illegible]

distance the course of the Taping. Two expeditions under Sladen and Browne, have started along this route. Colquhoun and Gill, if I mistake not, also passed through this country.

The opening up of this trade, which will some day come off, will have the effect of transforming the Irrawaddy into a second Mississipi, and Rangoon into an eastern New York. I fear the above essay does not give a very satisfactory account of a state which has, for so many years, closely adjoined our eastern possessions. But I don't know that there is much more to be said. I have been in communication, both verbally and by letter, with the best authorities, and I have found out nothing much worth recording. Rumours, much exaggerated are rife. "The king's authority," they say, "does not extend outside the city walls." Meanwhile the Flotilla steamers are not molested and the frontier is quiet. The Burmese from Upper Burma continue to flock into British territory. They say themselves they are not happy there ; but then a Burman always says what he thinks will please his hearers. I have never heard anyone, English, Burman or Shan say that the present regime was a good one. Would it be wise, politic and humane for some great civilising power like England or France, who already possesses lands contiguous to this country, to take under her protection these three millions of cheery little, brick-coloured folk and to help them to govern themselves ?

This is an important question and one which it is the province of the statesman and not the soldier to decide.

THAYETMYO,
September 1885.

EDMOND C. BROWNE.

ART. III.—BUDDHA AS A MAN.

THE immense popularity attained in recent years by Buddhism is one of the queerest freaks of the nineteenth century. That system of religion is associated with a body of science egregiously false, a mythology grotesque and wild, a philosophy fanciful and dreamy, and a morality austere and sombre. It is therefore at war with the dominant traditions, the characteristic tendencies and the approved principles of the age; and yet in spite of all this it is rising in public estimation more than almost any scheme of thought or principle that can be named.

If any feature of the age may be characterized as distinctive and differentiating it is admittedly its appreciation of correct, and contempt of false science. Scarcely any system of religion can be named which is more thoroughly saturated with false science than Buddhism. That religion has incorporated with its substance or transferred to its documents almost wholesale the tissue of puerility and absurdity which has in our benighted country been mistaken for science. Its geography is an edition scarcely revised and improved of the fictitious geography embedded in Hindu literature, and like its older sister or mother it speaks of world systems, mountain ranges, continents and oceans—all clustering around a mountain peak higher than the sun, moon and stars—which have no existence whatever apart from the dreams of a diseased imagination. Its geology or physiology is of a piece with its geographical fictions fraught with the wildest flights of the most ill cultured undisciplined imagination. And as to its astronomy—why in the records translated by Spence Hardy in his well known "Manual of Buddhism" we are treated to such bits of information as are embodied in the following extract:—"The disk of the sun is fifty yojanas (400 miles) in diameter, and (150 miles) in circumference; within it is composed of coral and its surface is of gold, so that both its surface and inner material are extremely hot. The disk of the moon is 49 yojanas in diameter and 147 in circumference; within it is composed of crystal, and its surface is of silver, so that both its surface and inner material are extremely cold. The path in which it moves is about a yojana lower than that of the sun." Nothing is considered in this age more objectionable than the presentation of such dreams as verities of science, and yet a system which commits such solecisms with a vengeance is growing in popularity!

A proper appreciation of history, in conjunction with supreme contempt for legendary lore, is one of the characteristic tendencies of the age. No system of [illegible]

contempt of history and greater appreciation of fable than Buddhism. Its mythology is in wildness and extravagance scarcely surpassed by that embodied in the sacred literature of the Hindus, confessedly the most imaginative and dreamy people on the surface of the globe. Like their mythological lore, it speaks of untold ages of past history which never existed, of innumerable orders of ethereal beings and infernal monsters which are mere creations of a diseased imagination, of gods who clear millions of miles across land or water or through atmospheric spaces in the twinkling of an eye, of frightful goblins who when excited lift up huge mountains and hurl them at their enemies, of birds and snakes of portentous size and fearful proportions.

The following is a description of an Asura or giant given in the records already allued to:—"Rahu is 76,800 miles high; 13,200 miles broad across the shoulders; his brow measures 800 miles; his mouth is 3,200 miles in size and 4,800 miles deep; the palm of his hand is 5.600 miles in size; the joints of the fingers 800 miles; the sole of his foot 12,000 miles; from his elbow to the tip of his finger is 19,200 miles; and with one finger he can cover the sun or moon, so as to obscure their light." Our enlightened age represents Christ as mistaken because He spoke of angels; but its veneration for Buddhism grows apace, although its angelology and demonology are characterized by an extravagance to which the history of wild fiction scarcely affords a parallel!

Our vaunted age, though propitious to a scientific classification of the varied faculties, powers and susceptibilities of the mind is apt to look down on metaphysical or ontological speculation with supreme contempt. But Buddhism has, intimately associated with it, a body of such speculation, forming the substratum or ground work of its moral teaching and religious exhortation. All creation is traced to quasi-metaphysical or quasi-physical phantasms, such as Avidya or Ignorance, Karma or Work, Abaukara or Universal Ego, Upadan or Lust of Life. Confining our attention for the time-being to one of these inconceivable entities or non-entities, Karma, what marvels are ascribed to it! According to Buddhism man is a congeries of material properties, which are disintegrated and dispersed as soon as he dies; but the subtle power emanating from his Karma, or the aggregate work he has performed in an almost endless series of transmigrations, stands in the way of his perishing for good. This non-descript force conjures up conglomerate after conglomerate of new elements and qualifies to receive merited reward and condign punishment, and thus prolongs his existence, without however perpetuating his personality! But the chain is not everlasting as it ends in the annihilation from which it originally arose. Can anything

superficial readers and thinkers, who study any subject, with the precipitancy with which they write short business notes, are apt to look upon such features as the head and soul of a living scheme of thought, not the accidental appanages of a system rotten to the very core. Some heavy books, and a great many light ones, have of late been written on the subject; and these have contributed to extend the popularity of Buddhism by a presentation of views more or less one-sided, and an incorporation with its substance of ideas and sentiments, which, though in vogue in civilised countries, are entirely foreign to its genius and tendency.

Buddhism, moreover, has been popularized by a class of *doctrinâires*, who look upon it as fitted to uphold a pet theory of theirs, *viz.*, the theory of development as applied to the religious history of the world. These theorists are opposed, heart and soul, to a supernatural revelation; and they are anxious to prove that Christiaity has been evoluted from pre-existing types and tendencies of religious thought. They imagine that they have discovered the missing link between the pure monotheism of Christianity and the gross polytheism of non-Christian lands in Buddhism in which they pretend to discover the germs of the characteristic ideas of our holy religion. And they have been sedulously spreading, by means of able but one-sided publications, a knowledge of the bright features of a system, which, presented in all its entirety, would be a centre of expulsion rather than attraction.

And lastly, the infidel world in general, has seized this system as a weapon which may in its opinion be effectively directed against Christianity. The champions of the varied forms of infidelity may not regard the system with real, in contradistinction to feigned, sympathy or admiration. Nay they may laugh in their sleeves at its growing popularity; but the opportunity afforded by it of a new base of hostile operations is too good to be thrown away unimproved!

It is our intention in this and two succeeding papers to show that the exuberance of admiration and praise lavished on Buddhism in these days is misplaced. We maintain, and hope to be able to prove, that the great founder of this system, Buddha presents in some respects a grand, but, all things considered, a sadly mutilated character, and that he was egregiously mistaken both as a moralist and as a philosopher.

"There is sad stuff" said King George III "in Shakespear: but one would be stoned for saying so." Our determination to represent Buddha, as he was, not as the hero of a mass of romantic literature, nor as the idol set up in these days on the throne of morbid sentimentalism and theoretic

...ation, is sure to lead to our being stigmatized as exceed-...bigoted, but we have counted the cost. And, therefore, ...in this paper boldly call attention to Buddha as a Man ...e main features of the career of this great reformer are ...ll known in these days, that even a cursory recapitula-... may justly be represented as superfluous and uncalled-... But a brief sketch of his life or career ought to be pre-...ed as the text of the few remarks we have to make ...its glaring defects, as well as its characteristic ex-...encies It is a fact, now universally admitted, that the ...sting records of his life, whether Northern or Southern—...ether Nepalese or Chinese or Ceylonese, or Burmese or ...amese—are so interlarded with or overridden by mytholo-...al extravagance that the kernel of fact—to adopt phrases ...ade popular by Strauss—can scarcely be extricated from the ...usk of grotesque fiction But there are a few points in ...hich these varied treatises, written in different places and under ...iverse circumstances, are agreed, and these may be present-...d—indeed have been presented—as the groundwork of a ...ife which modern criticism would relegate to the region of my-...thology and fable

Between five and six hundred years, according to a system of chronology received on insufficient grounds, before the birth of Christ, Sakya, who afterwards became the Buddha or fully enlightened was born of royal parentage in the city of Kapilavastu about a hundred miles north east of Benares Nothing almost is known about his early life his childhood and youth, besides the fact that his royal father, Suddhodana warned by a body of astrologers met in solemn conclave, not only brought him up in regal pomp and luxury, and strove hard to keep him out of sights fitted to nourish the noticeable pensiveness of his disposition He certainly was educated as a prince under the best of masters, but the existing biographies present no glimpse of his mode of education, or of the peculiar powers of head and heart developed under its influence But the reproach universally accepted of his love of retirement, and consequent aversion to the martial adventures and sports of his race, makes it plain that in the midst of luxurious repose he was melancholy and sad. He was early married according to some accounts, to one, but according to others successively to three wives; and his mode of life indicates a wavering between voluptuous self-indulgence, marred perhaps by no vice in the generally accepted sense of the term, and meditative pensiveness.

When about thirty, he noticed, despite the precautionary measures adopted by his father, human sorrow in some of its most impressive forms and the train of thought sugge-

Thus clad and equipped he marched forward, alone and absorbed in thought, towards Rajagriha, the capital of a kingdom then considered great, in the eastern valley of the Ganges; but he had not gone far ere he was called upon to encounter and overcome strong temptations thrown in his way by Mara, the Satan of Buddhistic mythology. A worldwide empire accompanied with all the splendour and luxury this world could offer, was assured him on condition of his giving up his toilsome search; but the tempting offer was rejected with perfect indifference, if not with utter scorn. But though foiled on this occasion, the tempter did not abandon him, but continued, it is said, with him, "cleaving to him like a shadow," and scrupulously improving every opportunity afforded of thwarting his noble scheme.

Rajagriha was surrounded by hills and forests, in the seclusion of which solitary men hermits and even small groups of hermits, might be seen engaged in meditation or in the practice of mortification and penance, their object being a solution of the problems of existence, and repose for their restless souls. Congeniality of spirit, as well as community of aim induced Sakya Sinha to resort successively to a few of these recluses for instruction and counsel; but finding that they had nothing in the shape of true knowledge to impart, he determined to work out, alone and unassisted, the great problem that so deeply engaged his thoughts. In this resolution he was encouraged by five ascetics who became his disciples, and who placed their services at his disposal. With these new companions he retired to the forest called Uruvela, and devoted himself, heart and soul, to the practice of austerity for nearly six years, abstaining from every species of solid or wholesome food, and subjecting his body to every species of consecrated torture. This course of self mortification had its anticipated result, and the enthusiastic sufferer was brought to the verge of the grave, but not a step nearer the solution of his great problem. Disappointed and chagrined he gave up his devotion to penance to the disgust of his ascetic followers, who now forsook him, bathed in a sacred river, partook of some delicious food served by a female devotee, and walked to, and sat under the famous Bodh or Bo tree near Gya to complete the work begun and carried on under so many disheartening circumstances.

But when his budding wisdom was about to burst into a full blown flower, his arch enemy, Mara made a desperate effort to oppose his complete emancipation from error and disquietude. He approached the scene with his terrific army of horrid monsters determined to disturb his serenity [illegible], and his repeated attacks are described [illegible]

with a profusion of imagery such as is never found anywhere outside the pale of oriental literature. The elements were let loose upon him, clouds surcharged with lightning lowered and thundered over his head, storms and tempests howled and roared, rain fell in dashing torrents; and when these disturbing forces disappeared, the malice of the enemy caused frightful conflagrations to rage around the devotee about to be beatified, and when all nature thrown into wild commotion had spent its rage in vain, the monster host hurled at him, not only their barbed arrows, but huge trees and even lofty hills lifted up by their demoniac strength. But the missiles fell as soft flowers on and around him. As a last resource the charming daughters of the enemy were instructed to effect by means of their blandishments, what so many violent measures had failed to accomplish, but even their meretricious arts were fruitless. Sakya continued wrapped up in meditation till he was fully enlightened. He was then transfigured,—his body assumed a golden color, his face glowed with the light of indwelling peace, and his eyes beamed with compassion and benevolence.

He arose, bathed and refreshed himself, and, after a momentary struggle with a rising desire to evade the irksome duty of preaching the truth he had found, marched towards Benares, and arriving at "the Deer-Park" in the vicinity of the holy city, he preached his first sermon in the hearing of his five recusant disciples, and innumerable companies of heavenly spirits. The result was the conversion of his human and angelic hearers. His fame was noised abroad, and he succeeded during the first few years of his public career in gathering a band of earnest Missionaries around him; and with their help he preached his religion called the Law through the length and breadth of a large tract of territory in Northern India, gathered converts from both the sexes, and all classes and orders of people, organised societies of retired mendicants, secured property in the shape of groves and gardens in the vicinity of flourishing cities and towns, and made all necessary arrangements for the progressive development of a system of religion or morality destined to spread far and wide in Asia.

He lived about fifty years after his full enlightenment under the Bo-tree, and these years were seasons of unremitting toil as well as peaceful enjoyment. He lived in retirement, along with a company of chosen disciples, in sequestered groves, apart from the din of city life, and even the hum of rural townships and villages; and as a

rule he preached to enquirers who resorted to him for instruction, or to audiences gathered around him in the private mansions and houses to which he was invited. His mode of life was simple, and his activity was of the oriental type, even and calm, not feverish and boisterous. He spent the greater part of the year in travelling on foot from place to place, preaching constantly and doing all the good in his power in season and out of season, and he spent the rainy season (the four months between June and October) in a resting place, improving it however, by delivering some of his long discourses and framing rules and regulations for the permanent guidance of his Order. His death occurred at Kusinagara, graphically described in the *Maha Parinibbana sutta* recently translated by Rhys Davids. This small treatise is a narrative, written in a highly artificial style (as all narratives in connection with the rise of Buddhism are), of a journey of three months' duration undertaken by Buddha from Rajagriha to Kusinagara, and it shows that the last days of the reformer were spent in efforts to mature and consolidate the great work of his life and to exhort the most favored of his disciples to industry and perseverance in the discharge of their duties.

Such is a brief sketch (by no means very reliable) of the life of Buddha, as exhumed from the heaps of rubbish under which it lies buried in the existing records! That he was one of the loftiest characters, perhaps the loftiest character matured in the dim twilight of natural religion, or apart from regions blessed with the light of revelation, is universally admitted. But such praise appears feeble and tame to his modern panegyrist, who would represent him as a perfect model of virtue, and even place him on a par with the Lord Jesus Christ. Nay, there are thinkers or pseudo-thinkers in our country who would even place the Indian reformer above the Prophet of Nazareth as an ideal of character. But setting aside the [illegible], the tendencies noticeable in some quarters to hold up the two characters as of equal excellence ought certainly to be represented as occupying the foremost place among the [illegible] and ext[illegible] of the age.

The author of the most charming [illegible] the life of Buddha [illegible]—who [illegible] of this [illegible] Indian sage [illegible] captivated by the fascinating exterior of the [illegible] justly be accused [illegible] Life of Christ is [illegible]

admiration of the reformer's character in these words:—"More than a third of mankind therefore, owe their moral and religious ideas to this illustrious prince, whose personality though imperfectly revealed in the existing sources of information, cannot but appear the highest, the holiest, the most beneficent, with one exception, in the history of thought. Discordant in frequent particulars, and sorely overlaid by corruptions, inventions, and misconceptions, the Buddhistical books yet agree in one point, of recording nothing—no single act or word—which mars the perfect purity and tenderness of this Indian teacher, who united the truest princely qualities with the intellect of a sage, and the passionate devotion of a martyr." That this is extravagant praise may be easily shown by a simple reference to the wide gulf that separates the character of our Lord from that of Buddha.

Believing as we do in the Supreme Divinity of Christ, we are most unwilling to place Him, even for the sake of argument, in juxtaposition with a mere human teacher, however long-standing and widespread his fame may have been, and however deep the veneration his name may now evoke. But the challenge comes from the camp of the enemy and we cannot but accept it. And so for the benefit of those of our countrymen who may have been misled by reckless commendation, we would institute a comparison between the two characters, and set forth the impassable chasm between the one and the other.

(1) And first let us observe that, while Buddha is a mythus, Christ is an historical character. Every event in the life of the Indian reformer: his birth, his renunciation, his transfiguration, his preaching, his death, is related at tedious length, and in a highly artificial and poetic style; and when we pass from the embellishment, the exaggeration and the pure fiction heaped upon his life in the existing records on to the majestic simplicity of the Gospel narratives, we cannot help feeling that we are moving from the region of legend and fable to that of reliable history. As a specimen of the high-wrought, turgid style in which the existing biographies are written, we give Asvaghosha's description of Buddha's countenance when he made up his mind to seek *Nirvana*, as translated by Beal, and presented in his "Buddhism in China:"—'His body as a peak of the golden mountain, his shoulder like the elephant, his voice like the spring thunder, his deep blue eye like that of the king of oxen, his mind full of religious thought, his face bright as the full moon, his step like that of the Lion King.* *"

Add to this what Wilson, as quoted by Spence Hardy in his "Legends and Theories of the Buddhists," says regarding

Buddha's birth — In a paper I published many years ago in the 'Calcutta Quarterly Magazine' I gave a list of thirteen different dates collected by a Tibetan author and a dozen others might be easily added, the whole varying from 2,420 to 543 B C They may, however be distinguished under two heads that of the Northern Buddhist, 1,050 B C and that of the Southern Buddhist for his death B C 543

The difference, then, between the character of Christ and that of Buddha is that while the *one* was depicted exactly as it appeared by contemporary biographers, the other owes a great deal of its charm to that retrospective veneration or mythopæic spirit which presents the heroes of a bygone age shorn of their real defects, and adorned with chaplets of imaginary virtues

(2) Again Buddha's boyhood and youth were spent amid that languour of satiety against which his subsequent life may justly be represented as a natural reaction His father, anxious to defeat what appeared to him the gloomy element in the prophecy uttered by his astrological advisers brought him up in a well guarded palace of luxury after the fashion in which Dr Johnson's imaginary hero Rasselas was brought up and the existing records make it plain that for a time at least he oscillated between varied acts of self indulgence and the melancholy broodings by which such acts are invariably followed in the case of a man of lofty thought and pensive disposition such as he was The restlessness he discovered amid the voluptuous enjoyment of his palace and during the period of his eager search for a remedy for the evils of life, bespeaks some degree of self indulgence though on the whole of what is ordinarily called an innocent character His great temptation when about to be transfigured tells the same tale

To show this let us accept the explanation of Christ's temptation given in *Ecce Homo* Christ after His baptism became suddenly conscious of the possession of supernatural powers, and He was tempted by the Evil One to employ them in His own service His temptation then proceeded not from a word or deed of His past life not from a [illegible] thought cherished or even a thought though cherished [illegible] not from an element of His nature weakened by undue indulgence but from a [illegible] unexpectedly revealed in His mind Buddha's temptation [illegible] on the contrary [illegible] indulgence [illegible] nature generated [illegible] It [illegible] shape of [illegible] to [illegible] had once claimed and [illegible]

not in vain, for gratification, but which were now held in check, not certainly immolated, by the severity of self-oblivious contemplation. As an address to an element of his nature weakened by self-indulgence, it was an index to the vitiating influences of the life of voluptuous ease he had spent in his father's palace.

Buddha's entire attitude towards women indicated the same super-induced weakness. This will have to be treated at some length when his unsocial code of morality is analyzed and sifted. Suffice it to remark here that he carefully avoided, and taught his followers to avoid with scrupulous care, any thing and every thing approximating to a pleasant intercourse between the sexes. His own conduct, in conjunction with the rules devised by him to make his disciples averse to friendly contact with the members of the softer sex, indicated in him an abiding fear, which cannot be accounted for except on the supposition of previous self-indulgence on his part.

And lastly the eagerness with which he rushed to the extreme of self-mortification is fitted to show a reaction against the other extreme, that of self-indulgence. What could so easily have driven him to the extreme rigor of penance, as a settled dissatisfaction with luxury, a recoil from voluptuousness, a disgust with satiety?

(3) But even setting aside the conclusion sustained by these reasonings, the fact remains that Buddha was restless under his paternal roof, and that his escape therefrom was prompted by a desire to seek peace, first for himself, and then for the whole world. He is, indeed, represented in some records to have said to his faithful charioteer, Chhanda, that he sought "no personal gain or profit," and that he sought "solely the benefit of men." But as no one could, according to his belief, be happy without the four truths he found under the Bo-tree, his indwelling disquietude so long as he was not in possession of them, is a corollary from his entire scheme of thought and teaching. Besides in the *Maha-Parinibbanna sutta* or the "Book of the Great Decease"—translated along with other Sutras by Rhys Davids and published in vol. XI of "Sacred Books of the East,"—he confesses his own miserable wanderings in these words :—"There the Blessed One addressed the brethren and said: 'It is through not understanding and grasping four truths, O Brethren, that we have had to run so long in this weary path of transmigration—both you and I."

Now what does the restlessness of a human soul imply? The presence therein of some disturbing element in the shape of error and sin. A soul free from the slightest touch of error and sin cannot possibly be restless; or, to express the same truth in another form, a soul in perfect possession of truth

and holiness, or of truth rightly apprehended by the mind and properly assimilated by the heart, cannot but be calm and restful. The moment we recognize some degree of perturbation in the heart of Buddha, we ascribe to him some degree of intellectual obtuseness or moral perversity. What a difference in this and other respects between the first portion of Buddha's life and that of Christ! In our Lord we see a holy childhood naturally developing into a holy youth, and that again into a holy manhood. As a child, He might not have been omniscient, or even gifted with a miraculous precocity or an extraordinary measure of erudition, but He had all the knowledge, all the purity and all the holiness needed to constitute spotless, perfect childhood. As a young man he was in possession of all the objective truth and all the subjective excellencies of head and heart needed to constitute immaculate, perfect youth. During the long years he spent under His paternal roof, as during the period of His public career, he lacked nothing necessary to make him an ideal of virtue,—no consciousness of imperfection troubled him for a moment, no feeling of unsatisfied intellectual or moral want oppressed him, no act of undue self-indulgence clouded His judgment or disquieted His heart. Perfect knowledge ruled His mind, and perfect holiness, accompanied with uninterrupted sunshine, reigned in His heart.

(4) The way, again, in which Buddha stole away from his well-guarded palace indicates on his part a want of manliness in marked contrast to the manful courage he showed when on a subsequent occasion he visited his native city and in the garb of a mendicant went from house to house begging within the very environs of his father's palace. The treatise on "The Manliness of Christ," written by the well-known author of "Tom Brown's School Days," is marred, as almost all modern versions of His Life are, by fanciful explanations of the most objectionable character of some features of His unique career, but it is eminently fitted to show that on no occasion, great or small, did our Lord evince the slightest approach to unmanliness or cowardice.

(5) [illegible] sudden [illegible] and secret from the [illegible] [illegible] and penance constitute an unchangeable [illegible] [illegible] of the years of his early life [illegible] his balance of mind and force of character. Had his intel[illegible] [illegible] [illegible] In [illegible]

(6) Again the hesitation Buddha showed in admitting women to his order, a hesitation removed by arguments brought to bear on it by one of his most favored disciples, bespeaks a weakness the like of which the world has failed to discover in Christ. No excitement and no hesitation were ever manifested by our Lord during the entire period of His Life, not even during the time when His enemies tried to decoy him into an unguarded expression by an array of searching questions, and when failing in this they subjected him to a series of irritating annoyances and cruel persecutions.

(7) But that which shows the greatest flaw both in Buddha's mental constitution and in his moral nature, is the atheistic or agnostic conclusion at which he arrived. His atheism was, in Professor Blackie's phraseology, the atheism of reaction, not the atheism which springs from defective intellect, excessive depravity or want of reverence. The tissue of wild speculation indulged by the philosophers of his time whenever the subject of the origin of the world was on the tapis, could not, of course, satisfy his inquisitive and earnest mind; but instead of being brought down by a natural reaction to the fundamental truth written, as it were, on the tablets of his own heart, and buried beneath heaps of rubbish in popular belief, he allowed himself to be driven by an unnatural reaction to the extreme of atheism or nescience. Such a revulsion of thought and feeling is an indication of an obliquity of disposition as well as an erratic move of the mind. And the man, who passed through a variety of extremes, and who ultimately settled down into atheistic disbelief or agnostic nescience, is represented by Blackie in his "Natural History of Atheism" as "a rare, exceptional, and altogether transcendental incarnation of moral perfection." It is this species of morbid sentimentalism that is killing the Church in these days!

Buddha can be held up as an ideal of ascetic self-control, not of any virtue or excellency above it. He was always calm and self-possessed; and he never betrayed the slightest freak of appetite or passion. Nor is this to be very much wondered at, inasmuch as his virtues were displayed under the shade, so to speak, of monastic seclusion, not in a furnace of trial. He was universally honored as a self-sacrificing, self-controlling devotee, and never persecuted in the proper sense of the term. The recorded persecutions to which he is said to have been exposed are really not worthy of mention. His father-in-law curses him for abandoning his daughter, but he is instantaneously swallowed up by the earth like Dathan and Abiram. A hunter in a fit of disappointment attempts to shoot him, but an angel stands between the aggressor and the accomplishment of his vile purpose. Dewadatta, the Judas of Buddhistic records, attempts

more than once to assassinate him, but all his attempts are foiled by some one or other fortunate circumstance. The Ceylonese records translated by Spence Hardy—which are assigned by Rhys Davids to so late a date as the twelfth century of our era—present a detailed account of an attempt to arrest him more systematically made; but the aggressors are all destroyed in the twinkling of an eye by his supernatural power.

Far from being oppressed and persecuted, Buddha was in reality honored and that universally. He was invited along with his disciples oftener to the mansions of the rich than to the hovels of the poor, and wherever he had his meal, "sweet rice and cakes" delicately cooked and respectfully served were as a rule placed before him. Once only we read of his having partaken somewhat freely of a dish of pork, and his death is said to have been hastened by what to a Hindu would scarcely be forbidden food, as the flesh was that of a wild boar, not of a filthy pig. And besides kings and noblemen, princesses and ladies of rank moved in all the blaze of gold and purple, each followed by a grand retinue of gaudily dressed retainers, towards the sequestered monasteries blessed with his presence, to hold religious conversation with him, to hear the law expounded, to have their troubles removed by sage counsel, or simply to pay him homage.

Buddha's freedom from persecution in conjunction with the honor in which he was held may at first sight appear an inexplicable phenomenon. But a known idiosyncracy of the Hindu faith offers the required explanation. Hinduism has a popular and a philosophical side, and under its shade two, or two sets of antagonistic and mutually destructive principles exist and even flourish side by side with each other. Its popular side favours a rank growth of idolatrous worship, ritual punctitiousness and caste exclusiveness, but its philosophy nourishes sentiments and traditions opposed to its parb of externalism and ceremonialism, and fitted to set forth its entire structure as a house divided against itself. Even now in our various cities, towns and villages, as well as in spots more secluded, small groups of philosophers or ascetics may be se[en] indulging in philosophical vagaries, and opposing in theory [a]s well as in practice, one and all the principles enshrined [in] popular Hinduism. These ascetics, called by various nam[es] in different parts of the country, represent varieties of vie[ws] ranging between monastic self-immolation and Epicurean [self] indulgence; but they all concur in pouring contempt [on] their theory and their practice on the caste rules held sac[red] by the masses,—they laugh at their idolatrous worship, sa[y] their ceremonial observances and openly speak of them as f[...] [...] to transcendental ideas through the stain[...]

of sensible types and gross forms. But notwithstanding their attitude of known hostility to the popular faith, they are, so long as they confine their opposition to the sphere of harmless sarcasm, and not allow it to culminate in the spirit of earnest and aggressive propagandism, not merely left unmolested, but even honored as demi-gods. The early Buddhists merely formed an association similar to the many flourishing now under the shade of the national faith; and they were honored, and continued to be honored, till the interests of that faith were endangered by their missionary zeal and unparalleled success.

One noticeable weakness in Buddha's character was the absence of that just abhorrence of error which leads to active and aggressive opposition thereto, or the want of that earnest love of truth which appears in a scheme of bold and unshrinking propagandism. He certainly did spread his peculiar views, but he ensured their propagation by measures too conciliatory to secure the approbation of a heart burning with love of truth and missionary zeal; and the means he employed were conversations held or discourses delivered in the quietude of private homes or sequestered monasteries; not the public preaching, the earnest visitation, and the aggressive itinerancy so evidently fitted to stir up opposition, and stimulate malice. He, therefore, rarely had a mob to face, questions to answer in the teeth of excited opponents, explanations to give with what may be called the well-grounded dread of persecution; unwelcome truths to declare in the hearing of persons ready to hail their exposition with destructive missiles; and he never opposed popular aspirations and sacerdotal hypocrisy with the terrible earnestness with which the Lord Jesus Christ denounced the respectable self-righteousness of the Scribes and Pharisees, and the gross messianic views of the populace. And the consequence is that while Christ had to show His miraculous balance of character in a furnace of trial heated seven times, the virtues of Buddha flourished under circumstances exceedingly favourable to their growth.

Buddha was an ascetic, and may justly be held up as a model of ascetic self-control and self-sacrifice. But he cannot be held up as a model of domestic virtue. He shunned intercourse with society on principle, and represented social pleasure as a dangerous thing, to be scrupulously avoided by aspirants for contemplative repose, if not by mankind at large. He never honored with his presence, during the entire period of his public career, a wedding as Christ did; he was never on terms of benign and holy friendship with any member of the female sex, as Christ was with Mary and Martha; and he never took up children in his arms and blessed them as

Christ did. Nay, the social virtues were held at a discount both by him and his chosen followers, and when they tolerated them, they did so in consequence of the weakness and ignorance of mankind at large, who could not see their enthralling influence as clearly as they did.

But was not Buddha an exemplar or ideal of universal love? Such love has been ascribed to him by all classes of writers, and with emphasis by Rhys Davids, whose views of the system he has mastered more perhaps than any other Englishman are in accord on the whole with orthodox views of Christianity. But it is not perceived, at least generally, that universal love indicates, according to Buddha's teaching, an *inferior stage* of self culture, and is therefore a thing to be suppressed by meditation, rather than fed and nourished. This point will have to be made clear when the ethics of Buddhism are examined, and here nothing more is needed than what may be called a premature exposure of an error into which so reliable an authority as Rhys Davids had fallen. In his small, but very valuable treatise on Buddhism he speaks of the four stages of the path marked out before Initiates, if not all Buddhists, as those "whose gate is purity and whose goal is love." But even his own definition of *Nirvana*, as well as the mass of solid reasoning he brings forward in support thereof, is really if not apparently fitted to show that the "goal" of this path is not merely the extinction of sensation, but the extinction of desire in general, benevolent or malevolent,—extinction of thought and feeling and volition, or self annihilation in the literal sense of the term. And consequently, if Buddha was an example of universal love, he was such by a happy inconsistency, and his principles required that he should cast it off as one of the many bonds from which emancipation is to be worked out by self destructive meditation.

But granting, for argument's sake, that Buddha was a perfect model of social and domestic virtue, as well as of ascetic repose, of universal love as well as of complete self mastery, he was after all a Half Ideal. He could not possibly have been, and he was admittedly not, an ideal of godliness and piety. The religious portion of his nature, his longing for the infinite, his instinct of worship, his sense of dependence on a higher power for self-culture and self improvement, his sense of guilt evinced in penitential confessions of sin and yearnings for deliverance, these and other cognate elements of his soul were not only not cultivated but thoroughly suppressed. And consequently the character he presents, though glorious in some respects, is on the whole mutilated. In him we notice a one sided development, the development of the lower accompanied with a complete or all but complete, extinction

of the higher instincts of human nature. And, therefore, he cannot possibly be held up as a perfect pattern of virtue, for the virtue, which overlooks or ignores our duty towards our Creator, is not merely deficient, but positively vicious.

To emphasize one point, Buddha cannot be represented as a model of worship, of prayer and sweet communion with God. He never prayed during the entire period of his public career. In the records translated by Beal, he is said to have "invoked the Buddhas of former ages" and looked up to the stars before beginning his career as an ascetic reformer; but this prayer, of which the other records make no mention, was, if it really was offered, his last prayer, if not the first and the last. The Ceylonese records, translated by Hardy, and the Burmese records' translated by Bigandet, describe graphically his mode of life, or the way in which he spent his days and his nights; and nothing at first sight can be more pleasant than his quiet round of daily occupations. He gets up early in the morning, spends his first and freshest hours in meditation, then goes out in his canonical robes with his bowl in his hand to beg his daily bread, returns, and spends the intervening hours till midnight in exhorting his disciples, holding conversation with human enquirers, and instructing angelic spirits. And if his meditations were of a religious character, and included prayer to God and communion with divine things, a better mode of life could hardly be presented as worthy of imitation. But Buddha only meditated on "the aspirated and expirated breath," and on the world at large "to see what being or beings should be caught in the net of truth during the day." His hours of solitary contemplation were not enlivened by a single outbreathing of the soul in prayer, a single exhilation of devotional feeling, a single aspiration after union with God and heavenly things. What a contrast between his life and that of Christ, whose days were spent in acts of humanitarian benevolence, and whose nights were spent, frequently, in sweet communion with his heavenly Father,—Who amid the multifarious demands of active philanthropy never neglected His duty to God. Christ, therefore, was a model not merely of the enthusiasm of humanity, but of the enthusiasm of piety also—a complete, stainless, glorious pattern of character!

But in reality Buddha was less than even a Half-Ideal, not even a complete pattern of mundane virtue. Universal compassion, love or benevolence has indeed been ascribed to him, not only by materialists and agnostics, but even by writers of theistic tendencies and Christian belief. But one all-important question has not been looked in the face. Can universal love exist side by side with the gloom and the chill of atheistic negation or agnostic nescience? Could a person, who systematically

strove to extinguish the religious side of his nature, ignored God, and cut himself off from divine help, develop himself into an ideal of that love, which in the regenerated soul appears as an effect of a higher passion, love to God? Again some mixture of enthusiasm and cunning should, even in accordance with the approved principles of modern science, be ascribed to him. He is said by all the existing accounts to have claimed omniscience, and a perfect knowledge of each of the different stages of transmigratory existence through which he himself and the people around him had passed. This claim enters into the texture of Buddha's life as thoroughly as Christ's claim to Divinity enters into his, and cannot therefore be thrown aside without a violent wrench. How does modern science allow this claim on the part of the Indian reformer? If not, how can it explain his persistent advancement of it except on the supposition of wild fanaticism on his part accompanied with some degree of 'pious fraud?'"

What Buddha in reality was a model of, is clearly and ably set forth in Professor Blackie's 'Natural History of Atheism.' That versatile writer, after having spoken of Buddha as 'a God-man," "an Incarnation" and 'a Prophet' after having lifted him up to the skies, states the conclusion of the whole matter in these words:—"Whatever we know not about Buddha, one thing certainly we do know, that he commenced with being a licentious person and voluptuary, and ended in the character of a mendicant monk, and succeeded—as indeed Brahminism did before him—in impressing this in a considerable measure ridiculous type of an unnatural and unsocial sanctity as a model of human admiration from the Ganges to the Amoor."

But here sentiment thus steps in, and he rates us for criticising harshly the character of an earnest man who struggled for truth amid the twilight or gloom of heathen error, and who nobly followed the dictates of his conscience as far as it was enlightened. Certainly an anxious enquirer or even an honest doubter has a right to claim, and never claims in vain, our sympathy and even admiration; but when such a person assumes prophetic functions, and propagates with oracular assurance a religion essentially false, a religion calculated to lead multitudes of human beings into the abyss of error, degradation and misery, such right on his part must be disallowed by all sensible men. So long as Babu Keshub Chunder Sen, for instance, assumed the attitude of a humble and anxious enquirer after truth, he could reasonably claim, and had the warm sympathy of all right-minded men; but when he set up the banner of the New Dispensation, issued proclamations and manifestoes in the name of God and challenged belief in his vagaries with prophetic or oracular assurance, the [illegible]

that could be offered by his best friends is couched in the words uttered by Max Müller in the hearing of the writer in the course of a private conversation in his own house at Oxford: "Poor fellow! he was not in his right mind during the last few years of his life" So long as Buddha prosecuted amid bodily torture and mental agony his toilsome search for truth, he could not but be an object of the deepest sympathy, profoundest respect and the highest admiration. But when he grasped as truth a palpable error, assumed the omniscience of the Deity, and preached, in supercession of existing forms of thought and faith, a religion destined to draw countless myriads of people during ages untold away from loyalty to truth, and to the God of truth, the kindest thing we can say of him is that he was not in his right mind.

A current story, often related by both young and old persons in private conversation, is full of meaning. A man drawn away from truth by false teaching was brought before Yama, the Indian Pluto, and sentenced, after a proper trial, to fifty stripes, and when these were being inflicted with due solemnity, his teacher stood before the august tribunal. The judge inflicted upon him double punishment, fifty stripes for living in error, and fifty more for leading the first man astray! In this, and other current stories of the sort, there is a vein of justice and sound sense which modern sentimentalists would do well to pause and consider.

That Buddha was a grand personality, perhaps the grandest raised in an atmosphere of imperfect knowledge and erroneous views, is readily admitted. But far from being a stainless example of moral perfection, he was an example of defective moral consciousness, of one-sided development and monastic virtue; and in him we cannot help discerning an intellect majestic, but by no means sufficiently well-balanced, a spirit lofty, but not thoroughly emancipated from prevailing error, a heart inclined to some maxims of moral rectitude, but separated from the vital principle of all true morality, and a character grand indeed in some respects, but sadly mutilated. And so far as a union of the varied elements of a well-balanced, or fully developed moral character is concerned, the least in the kingdom of heaven is greater than he!

RAM CHUNDRA BOSE.

ART IV.—A DANCE OF DEATH.

SOME Mahajans in the Burra Bazar Calcutta, are in the habit of paying coolies who have been pulling a Saheb's punkah all the previous night, and who are accordingly sleepy, to lie all day on theirs, the Mahajuns' beds so that the bugs having had a surfeit of tired punkah wallahs, the blood-thirsty leeches may feel, disinclined for a further meal on Mahajans afterwards, and thus, thanks to vicarious sacrifice, the owners of the beds may enjoy their night's rest in comfort. Under similar circumstances Europeans, having outgrown belief in metempsychosis and all outcomes thereof would, we take it, devote their energies to killing the bugs, regarding them simply as nuisances. But to many orientals over and above Burra Bazar Mahajans, bug life, as well as all other forms of life is sacred still.

It has been well in many ways for the world of the East that the idea of metempsychosis, by whomsoever invented has prevailed in the teachings of its wise men and proved a leaven strong enough to give definite shape to popular action. For your oriental is in disposition, very callous indeed to all suffering not his own, and at bottom in spite of his tradition-enjoined reverence for life, almost as fond of savagery as those liberty loving Romans of old time who were content to let their liberties be filched from them, if only they might gloat over exhibitions of dying agony, and adequately blood stained areas of sand in the amphitheatre. Even in this much enlightened nineteenth century of ours, Indian police officers have managed to bring to light instances of human sacrifices to the Goddess Kali, and Colonel Sleeman's record of the wanton, cold blooded delight of Thugs in quasi religious murder, was as familiar to Anglo-Indians of a prior generation as the story of the Mutiny is to those of to-day. In this day it affords villagers in Behar great satisfaction to "lathi mar" a village pig on due religious occasion; or to watch a Saheb's dogs worrying a jackal. We have seen a Brahman Mohunt assisting with much gusto at the latter recreation.

In short, English traditions about the natural tenderness of heart of "the mild Hindu" are very pretty but not very true; judgments derived from what some of his sacred books and some of his Canterbury tales say for him rather than from what he does for himself. English gentlemen whose lot in life it is to sojourn amongst the people—the real people in the mofussil—who mix with them, and strive to be friendly with

them—can scarcely fail to be sickened sometimes with their callousness to human suffering, their wanton torturings of animals lower in the scale of creation. All honour to Gautama Buddha, if indeed the idea of metempsychosis commended itself to him primarily as a means of abating the cruelties consequent on a common human propensity * to bloody human sacrifices and aimless cruelty to the brute creation. As to that matter, at any rate, the man who holds with Coleridge that—

> He liveth best who loveth most
> All things both great and small

must surely admit that Gaudama Buddha set himself a worthy work of reform to do; and did it with such a hearty sincerity and might, that Brahmanism, much as Brahmanism hated the man, and his work, and its memory, was fain to yield at any rate lip-homage to his gospel of loving kindness to life—as long as the burden of life must needs be endured.

The Light of Asia was a man the bent of whose genius led him always towards the practical; and always in the manner in which it could best be brought home to his audience. He taught altogether by word of mouth, and left no books behind him; and so it happens that the primitive faith he enjoined, the system of religion he inculcuted, has been overlaid with multifarious glosses and commentaries, and that there is a tendency amongst some of the moderns to impute to his gospel more of materialism than really belonged to it. It is, at any rate, very evident that he could not, or he would not, get rid summarily of the mystery of life, in a narrow six feet of earth, or 'a handful of calcined ashes. For disciple of his, as Max Müller puts it, "there is no deliverance from evil, except by breaking through the prison walls not only of life, but of existence, and by extirpating the last cause of existence." The way to this longed for ultimate deliverance lies through many deaths, and altered conditions of life after death. Through pains and penances, and the dearly bought teachings of experience, must man arrive at absorption into the infinite, by means of self-annihilation attain to the full peace that can only come with such abnegation. Meanwhile, as Mr. Arnold puts it, he should seek—

> Nought from the helpless Gods by gift and hymn,
> Nor bribe with blood, nor feed with fruit and cakes;
> Within yourselves deliverance must be sought;
> Each man his prison makes.

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* E. G. Iphigenia, Druidical and Mexican sacrificial rites, Samuel and Agag, the Christian doctrine of the atonement, Hasan and Hosein, Merias, Kali with a reeking tulwar in one hand, a man's dissevered head in the other: even Joe Smith the Mormon prophet. The idea of sacrifice dominates all religions.

Meanwhile disciples of his should not vex themselves over much with futile questionings In the calm, blue skies overhead

> Stars sweep and question not This is enough
> That life and death, and joy and woe abide,
> And cause and sequence, and the course of time,
> And Being's endless tide,
>
> Which ever changing runs, linked like a river,
> Its ripples following, ripples fast or slow—
> The same yet not the same—from far off fountain
> To where its waters flow
>
> Into the seas There steaming to the sun,
> Give the lost wavelets back in cloudy fleece
> To trickle down the hills and glide again,
> Having no pause nor peace

Gautama Buddha's gospel of materialism, however, is very far indeed removed from the materialist creed, according to which death involves for the individual immediate ending utter extinguishment of all concerns, this and other worldly Such a creed has from time to time found favour in Arabia and Persia—

> Ere death [illegible] head
> [illegible]
> [illegible]
> [illegible]

So wrote that [illegible] of the Wise Omar Khayyam, the Arabian poet astronomer who died at Naishapur in the year of the Hejira 517 In China, too a certain amount of materialism has found favour, and obtains amongst all classes although it is difficult to understand how followers of Confucius manage to reconcile it with their inculcation of the duty of sacrifice to the manes of ancestors. But in India, no such gospel has ever, to any appreciable, any enduring extent, found favour—weak approximations thereto of a weak kneed Sankhya philosophy notwithstanding Here the tendency has always been to regard death as the beginning of another life, higher and more soulful, or lower and more animal according to well deserving or demerit In an article on "The Banks of the Bhagirathi" published in the *Calcutta Review* for December 18[illegible], we are told that in 1812 a leper was burnt to death at Katwa, a village near Plassey, memorable as the place where Clive held the only council of war he ever did hold [*] Here is the extract —

"He [illegible]

---

* [illegible]

to be taken out, and struggled to get free; his mother, however, and sister thrust him in again, and he was burnt to death; he believed that by so doing he should be transmigrated into a finer body."

In India learned and unlearned, pleasure-loving and pleasure-despising, high and low, rich and poor, all incline to believe in some sort of life after death—haply a style of living better suited to their ambitions. Some of them believe—probably in this year of grace 1885 we ought rather to say believed—that once upon a time there was no death to trouble the land. Pertinently enough the Indian tribesmen who, but a few years ago held Meria sacrifices indispensable to secure the favour of their Earth Goddess, the fertility of their fields, their success in war, and their well-being generally, were people who held death to be a departure from natural law a penalty inflicted by Gods angered at tribemen's neglect of sacrifices and worship.

The Brahman priesthood, it goes without saying, has never held any sort of parley with materialism. It could not venture to, even if it would, without sapping that conception of family life which is at the bottom of the institution of caste, and holds Hinduism and Hindu society together. In his book on *Ancient Law*, Sir Henry Sumner Maine points out how forms of association, legal, commercial, and religious, have been assimilated to forms of association based on consanguinity. And he says—

> The right to inherit a dead man's property is exactly co-extensive with the duty of performing his obsequies If the rites are not properly performed or not performed by the proper person, no relation is considered as established between the deceased and anybody surviving him . . . . Every great event in the life of a Hindu seems to be regarded as leading up to and bearing upon these solemnities. If he marries it is to have children who may celebrate them after his death; if he has no children, he lies under the strongest obligation to adopt them from another family, 'with a view,' writes the Hindu doctor, 'to the funeral cake, the water, and the solemn sacrifice.'

Hindu law, in short, has concerned itself so heartily about the comfort of a man's soul after death, that it has enabled him to give hostages to Death for due fulfilment of all obligations held to be due—hostages not only bound by their religious persuasions, but also by regard for the material advantages accruing to them through possession of temporal properties. Hindu custom has never wavered in allegiance to Hindu law in this matter; shown no inclination to waver; never sought dispensations from any of its exigencies, or murmured against them, or thought of setting them aside.

Some Hindus have talked of amending sundry marriage customarinesses of priestly ordainment, especially of late years, under encouragements afforded by Western world educational influences of sorts. But no jot or tittle of Death's dues. Hindu lawyers are apt special pleaders, ingenious conveyancers, keen

nough and successful enough in finding loopholes and flaws in any sort of legislative machinery they want to drive a coach and horses through. But as yet no Hindu Jurisconsult has been found applying his conveyancing or other ingenuity to the invention, for clients use, of agencies to evade the observance of their *sacra*. Sacred even for the ... are the rites due to Death, the propitiations needful to the life men's ghosts must lead after the men are dead. Brahmanism obviously cannot afford to consider death an end of all things. Less power still would the rival religion of Modern India have to dare such conclusion. Mahomedanism, however, has no wish to. Rather does it encourage men to dare death for the sake of what is appointed after death as the heritage of the Faithful. Its hell is as terrible a doom as the Christian one, its heaven better calculated to tempt fleshly lusts, its moral law impregnated with the principle of restraint on lusts in this life with view to their full and perfected gratification in a life to come. In short, as we have said, there is in India no popular gospel of materialism such as has found cognizable numerical measure of popular approval in Arabia, Persia and China. Followers after some new line of philosophic departure from old habitual lines of thought may be Sadducees for a lifetime's space, but their schools have no elements of inherent stability about them and do not endure, nor do their teachings carry weight with, or acquire influence over the people, to any appreciable extent. The leaven of Western world education introduced into India by the English, has naturally led to the adoption and imitation of English fashions of thought of many sorts, materialistic amongst others. But they are not congenial to Indian soil, never likely to be ... popular save in Persia and Japan ...

Although selfishness has always greatly prevailed in the world, yet always some of its men and women have been prone to hero worship, and so it has happened that to some few of its unobtrusively great men the world has been willing to become worshipfully before their ... To none of its great ... death—poets amongst the number ... than to the ... [illegible]

[illegible]

12

the gods by glorification of such of their actions as were not; and when the time came from him to die, the deathless ones were not unmindful of reverence that had been done them. Whilst he waited the return of a messenger who had been sent to enquire of the oracle of Ammon, Persephone appeared to him in a dream, and told him that in his last ode, an ode in which he had said that death was best for man, he had himself answered the enquiry. The goddess told him furthermore, that in her own realm he should sing her praises, he who whilst yet a living man withheld from her the song of praise. In the theatre at Corinth, the scene of many earthly triumphs, in the arms of a youth whom he loved, the poet died—and was mourned for throughout the length and breadth of the land of Hellas. And long years afterwards, before the great temple gates were shut at Delphi, the priest of Apollo cried every evening "Let Pindar the poet go in to the banquet of the god." It was apotheosis of orthodoxy already beginning to be on the wane, although orthodoxy knew it not; could then discern no signs of irreconcilable conflict between Fate and Freewill.

Nor did the men for whom Aschylus wrote believe themselves to be altogether without freedom of election as to choice between good and evil in their actions; some measure of determination as to their portion of good and of evil after death. Their gods punished no guiltless man; tempted no man to guilt. But sin once committed became a tempter; led with cumulative force to further sinnings; induced a moral blindness in a man of which the Fates were not slow to take advantage by involving his descendants in the ruin that punished some inexpiable crime of his. Yet Sophokles makes Antigone conquer death with love. After a terribly troubled, vengeful-fate persecuted life his Œdipus, a god fearing prince, finds death—and therewithal rest and peace—in a place other men feared, and avoided the neighbourhood of; in the awesome grove of the Eumenides. Although in the struggle between Fate and Freewill in old world Hellas, Fate ultimately prevailed, and gave men's minds over to the dominion of death, yet for long while Freewill held its ground—and made a garden of it. A fool's paradise if you like. Nevertheless there are not many of us, few men and women of this most unparadisiac 19th century, who would not like to be living in the childhood of the world methinks. The grown up world is very busy, very important and defiant: as outwardly self-satisfied as an auctioneer's catalogue, as perturbed in mind inwardly as an auctioneer who knows that competition and plate glass and gilt adornments have ruined him, that he is insolvent, and living in hourly dread of writs and law processes. For it life is no glad condition of ownership; more commonly, indeed, is a very miserable condition.

A Dance of Death.

For relief from which "euthanasia" is recommended in certain cases; suggested by implication as a boon that might advantage very many cases but for latter day squeamishness about the morality of suicide and homicide. What sad songs modern English poets sing!

We wrest each bauble from some weaker hold,
And not a bliss we own but has been bought
At price of other's suffering. Our gold
Is human agony stored up and wrought
In the red furnace of our strife. All thought
That is not sordid, that we miscall brave
Is rooted in despair, the battle fought
That we all lose in turn, and none can save
And still the greenest herbage grows above the grave

So the anonymous author of *Ione*. A greater than he tells us, it is true

Well roars the storm to those who hear
A deeper voice across the storm

But *In Memoriam* echoes for most of us wreckage of fond hopes "sundered in the night of fear," rather than the deeper voice Tennyson invokes but as an afterthought, and half heartedly. What are his "Idyls of the King" but a testimony to the vanity of noble aims, the futility of high endeavour, and pilgrimages unto sadder graves. What poetry could be more sorrowful in its burden than the dirge of Œnone, the dream of fair women, the song of the lotos eaters, of all those shorter pieces of the laureate's that have taken firmest hold on popul…
sympathy. Of Mr Browning's poems a discerning critic h…
written that in them "pain and power seem to be synonymou…
What should one say of Mr Rossetti's? He is always sorro…
laden, always burying the dead past, as in that tenderly …
sonnet "Barren Spring."

So spring comes merry towards me now, but earns
No answering smile from me, whose life is twin'd
With the dead boughs that Winter still must bind,
And whom to-day the Spring no more concerns.
Behold, this crocus is a withering flame;
This snowdrop snow; this apple blossom's part
To breed the fruit that breeds the serpent's art.
Nay, for these Spring flowers, turn thy face from them,
Nor gaze till on the year's last lily stem
The white cup shrivels round the golden heart."

Waiting for and dreading death those ancient r…
seek to forget for a while their dumb despair, te…
world tales Mr Morris renders for us with plaintiv…
grace in *The Earthly Paradise*. Old world tal…
in turn are fain to envy; a…
which we too find at the tyranny of …
… less hope, than …
… less faith.

world ones to whom reference has been made; are in their different nineteenth century way far more bound and conditioned by Fate. Prone some of them, mocking at Fate to revert to the risus sardonicus of despair, to *Laus Veneris*, to ringing chimes out of tune, tolling chimes over some such augury as the motto for a signet ring which Solomon in the Eastern story gave to the man who asked for one suited alike to prosperity and to adversity, the motto:—"This also shall pass away." As Omar Khayyam puts it—

> Since life is all passing what matter Baghdad or Balkh?
> If our cup be full what matter bitter or sweet
> *Drink wine—for long after thee and me, yon moon*
> Will fill to full filling, then waste to its wane.

Strange in seeming are some of the rites and ceremonials connected with the homage paid to death in India, more particularly as regards the pious disposal of mortal remains after dissolution. When a Sunyasi dies (no matter what his caste may have been before he took the vows) his skull is smashed and mashed with a cocoanut, and the ensuing pulp is, with the body, thrown into some sacred stream to be eaten by fishes.

On the North-East frontier when a man of any note dies, his remains are stowed away in a jar of honey during the weeks or the months it takes to gather together kith and kin and friends from all parts of that sparsely inhabited, not easily traversed part of the world, for a funeral feast. After that ceremony has been digested by the living, the top of a bamboo *machán* is deemed sufficient, in the way of sepulture, for the dead.* A bone of every defunct and cremated Rajah of Burdwan lies in state in a place called a Somáj Bati, at Khalna. Parsees desire above all things to avoid corruption and decay in the bodies of their dead. Therefore they give those bodies to be devoured by carrion birds, and in their foul maws to undergo the transformations into other matter ordained for all flesh. Bástams are buried in a sitting posture, with an earthen platter full of salt on which to sit. The march of Western education in India, and concomitant underminings of scandal occasioning caste observances, have almost abolished the Bástam. Let us hope that before many years more have gone by, he will be altogether a memory, relegated to the same limbo provided for Suttee and Churruck Pooja barbarities. Meanwhile, his very existence is slurred

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* Australian tribes on the Lower Murray pursue a similar plan, and afterwards improve the occasion by utilizing the cadaver poison generated by the corpse. They stick the points of their spears and arrows into it, and then the merest scratch—inflicted sometimes without waking a man from his sleep—is deadly.

…er when native gentlemen discourse to English gentlemen of …dian habits and customs, on occasion, denied. It may be well, …erefore to explain that Bistums are outcasted caste folk. Hin…dus who having been taken to the sacred stream of the Ganges …o die there are by virtue of that dedication bound to die there —if not verily and indeed, then socially. If they are young and strong of constitution, if Ganges mud in the mouth proves a saving grace and restores life to them, if love of dear life so overpowers their sense of duty and decorum that they allow themselves to be healed of their sickness and live, that love of life will cost them dear. For according to caste law they are dead, incapacitated from any further intercourse with relatives, friends, even like caste fellows. The leper of mediæval Europe, over whom, before consigning him to the seclusion of a lazar house, a robed priest read the burial service of his church, and celebrated a mass for the dead, was not more isolated from faith and kin, and intimate fellowship with any save his fellows in affliction than these unfortunates are. In the Hindu mind the dominion of caste must indeed be firmly established. It survives even amongst people like these who find themselves by arbitrary caste ordinance and for no fault of their own, commission or omission, doomed to a life of isolation, privation, and shame. Withal to a life embittered by remembrance of what had been and what might have continued to be, but for the cruel inhumanity of caste. For Bistums have formed themselves into, have one may say become, a pariah caste of their own manufacture, and cherish and exult on high their own especial ritual of caste observances. In accordance with it they eschew cremation and are buried in a platter in the manner we have referred to. A reversion by the way to the primitive practice of burial in a crouching position which seems to have been generally followed before men had learnt how to apply fire to smelting purposes, and imitatively taken to burying under disproportionately giant tumuli an urn full of ashes instead of a dead body. When the fashion of cremation was first introduced, was it as heartily abused and denounced, we wonder, by the men of elder time as its attempted revival has been in the Western world in our own days?

Was it welcomed by men who could see in the new departure a [illegible] of hope for … [illegible]
… or not … ? [illegible]
[illegible]

master in another state of existenc? Or was the hound sent with the master because he was absolutely necessary as a guide to an unknown country? As accredited servant of the powers of an occult world whitherwards all men must travel, he seems to have been recognized all over the world from earliest known times. Although the Norsemen saw not her goings to and fro amongst them, he could see how Hel the Goddess of Death moved to and fro in their midst in the wake of fierce North winds; and he was fain to do her bidding. In the dreamy, lazy, *laissez faire* orient he is still, as he always has been, boder of evil, prophet of dissolution. North and South, East and West in the world, he always is more or less. It is strange how, in India, in spite of his unpopular office, in spite of his unspeakably filthy habits, in defiance even of caste, the dog manages to retain a hold upon popular affection—an affection that overcomes even prejudice. The meek dove, emblem of the Western world paraclete, the Eastern world Moon God, is dreaded and disliked because of its Death world derived missions amongst men. But not the dog. One may read in the sacred books of the Hindus how Yudisthira refused to enter heaven without the canine companion of his earthly wanderings. Every day we see around us men who, from a caste point of view, abominate the dog as an unclean beast, yet sailing as close to the wind of caste practice as any one could, and protecting and cherishing him.

Moribund Hindus may enjoy at any rate one consolation denied usually to the dying Christian: they cannot well be buried alive. Doctors pooh pooh the idea of such a possibility in these days of advanced knowledge and scientific tests. Doctors are ex-officio bound to assume infallibility as to all matters connected with their craft; as much for the sake of begetting confidence in their patients as in themselves. But we know that Church Councils have ere now called in question Papal decrees; that living Popes have upset and nullified the decisions of their dead and gone and infalliable predecessors in office. We take leave to think that even Doctors may be mistaken sometimes. In their own annals may be found recorded cases of unnaturally suspended animation, trances that seemed to them so like death itself, that they have given sanction to arrangements for the burial of people who have been proved, by the irresistible logic of after events, to have been really alive. Some have wakened from their trance just in time to escape actual burial.

Terribly evident traces of attempts made by others who have been actually buried to break through their tomb imprisonment have been, from time to time, brought to light. As we have said, Doctors are not infallible. Have not criminals Jack Ketch has hung been certified dead by the medical man in

attendance and come afterwards into possession of power of locomotion and speech in a manner really dead people are never known to adopt anywhere save at a spiritualist seance. It is true that Arthur the blameless King, the Rex quondam, Rex que futurus of the legend, is believed by some of the English West country folk to be alive still, in spite of the mortal wound he received in his last earthly battle. But then it is in some invisible, undiscovered fairyland that he has his being. Some honest Germans think that Barbarossa their red bearded Arthur, is not really dead either. Only he spends his time, and his beard is growing now in an under earth, unearthly fashioned cavern. He no more mixes with his fellow men than Arthur does. Dead people who come to life again do not seem to care to somehow. It appears to us that the Hindu who can die, or seem to die, with full assurance that the material part of him will be burnt not buried, has something to be thankful for. Perhaps the day may come when sanitary considerations will obtain such weight with European society at large, that Christians too will be fain to follow a then prevailing fashion, and to believe that, as regards their insensate corpses, they prefer cremation to decomposition. People do not, as a rule, relish the idea of the flesh and bone they leave behind them being dissected whether for the benefit of medical students or other useful purpose. Yet some men have been known to bequeath the mortal part of them to a surgeon to be experimented on and reconciled to the idea, and have been [illegible] in time to the idea of cremation. Why should not others become [illegible] and examples—of course and setting a sufficiency of good examples—of a fashion of cremation? [illegible] among the aristocracy—[illegible] nature's law of decomposition [illegible] a shade less stupidly [illegible]

Embalming, as a means of [illegible] perhaps a shade less [illegible] the dead from pollution and reproduction is a notion perhaps [illegible] saving the dead from pollution [illegible] than the Parsi idea of saving the dead from [illegible] to which reference was made above. It has at least the merit of being extensive by means of the maws of carrion birds [illegible] exclusive. Yet strangely and uselessly expensive and exclusive it does not seem to have found favour in Mahomedan [illegible] extravagant [illegible] to say it does not seem [illegible] of emulative [illegible] of the poor [illegible] and even in the past [illegible] at the expense of the poor [illegible] and enrichment of the rich at the expense of [illegible] either of [illegible] The custom of embalming hearts seems to be a [illegible] somewhat [illegible] one [illegible] [illegible] and [illegible] after the death of the [illegible] his heart, bequeathed by [illegible] to [illegible] the gallant Marquis of Montrose [illegible] Lord Napier's daughter (after [illegible]) his niece, the fifth Lord Napier [illegible] in the course of a campaign [illegible] a curiosity dealer and [illegible] years afterwards in a curiosity dealer's [illegible] There [illegible] [illegible]

its possessor against wounds in battle. When she took her way homewards again, it went with her through sundry sea fights with French privateers and strange vicissitudes. Finally it disappeared in the hell broth of the first French Revolution.

Christians and Mahomedans in India elect to have their remains buried after death; and India can boast of the most beautiful tomb that ever was dreamt of, or ever, for the delicateness of its marble beauty, likened to a happy dream. As for its other sepulchral monuments, Christian tombs are, with few exceptions, uglier and in even worse taste than the 18th century European models whence they have been derived. Mahomedan tombs are sometimes less pretentious and tawdry; sometimes seemly apparelled memorials of, fit resting places for, the quiet dead. But a Mahomedan burial ground is too often in effect a Golgotha, an agglomeration of shallow, barely covered pits, that fail shockingly to fulfil the mission for which we must presume them intended. The grave dug for a woman is only to the height of her waist. Too many Christian graveyards in India are as uncared for, almost as much a scandal and abomination as the earthly resting places of the Faithful. They are overgrown with rank, noisome vegetation, overrun with snakes, and creeping slimy horrors; the tombs are delapidated and crumbling away; the head-stones that were on the tombs, and bore pious or loving inscriptions, have been carried away to grind curry *masalas* on. Christians are buried in a coffin. Mahomedans for the most part get their dead carried to the grave on a charpoy, or like apology for more pretentious bier. Often have corpses paraded in this pestilent fashion through crowded bazars and city streets when the occasion of death has been small pox or some malignantly infectious fever. After a Mahomedan funeral, wheat, rice, salt, pice, are given in charity to the poor. Christian almsgivings on similar occasions precede interment, and are paid to milliners, dressmakers, and "mourning outfitters." Amongst Mahomedans it is held a good deed to accompany a funeral procession to the grave on foot. Christians hold it more meritorious to ride in a carriage. Funeral charges are, with Mahomedans, regulated and adapted to the means of the family to which the dead belonged. They have no "mourning outfitters," or "mourning expenses." A Christian burial is made occasion for affectations of funeral pomp that not unfrequently saddle on surviving relatives of the dead a load of debt and difficulty. Granting, for the sake of the comparison, that corpses must needs be buried, the preparations for, and the proprieties associated with, a Mahomedan funeral, seem to us in many respects more worthy of imitation than funeral observances which a fetisch worship of respectability has engrafted on primitive Christian

usage. Fanfaronade of funeral pretentiousness and pomp of mourning seems now to have drifted away altogether from original design, to be used not solely with view to glorification of the living instead of in honour of the dead. Well is that "The Lord is lord of the living only: the dead have another God." Well too that "Wretched shall they be all the days of their mortal life who offer up worths and acceptable sacrifices unto the God of the dead: but after death their trouble ceaseth." In Burma men make merry over the dispensations of the "King of terrors." When a death occurs in a house will, for a week together, with help from cards, gambling, and grog, make it excuse for holding feast of an exaggerated Irish wake description.

If the translated one happens to be a husband, his neighbours all and sundry, whether they were personally acquainted with him whilst he was yet in the flesh or whether they were not, are bidden to the feasting [illegible] one according to his means [illegible] position and essentially [illegible] When a Burman [illegible] in her affliction, and will [illegible] by celebration of the rites [illegible] wife dies on the other hand [illegible] a substantial moiety of his [illegible] hold in her honour [illegible] less from him than [illegible] tors of the dead on the [illegible]

Feeding caste fellows [illegible] lites and adjuncts of [illegible] violence of [illegible] of death [illegible] supply [illegible] and exactions that [illegible] mulcts [illegible] fulfilment [illegible] times prove as expensive [illegible] wedding. In the [illegible] of a Burman funeral [illegible] al dancers cut capers to a [illegible] air of rejoicing [illegible] the deceased [illegible] her she has [illegible] ness of [illegible] aspiration and endeavour [illegible] funeral feast. But the [illegible] band specially [illegible] to them, [illegible] and a great many [illegible]

the world over who are not protestants, laugh at relics and relic worship, and yet will fondly cherish and worship a dead woman's hair, a dead child's toys, a rusty sword that was a soldier's once upon a time—what not precious memento of loved ones who were; and are not. Happily for the world at large, consistency is less common, as well as less of a virtue, than love. Relic worship, however, it must be confessed has been sufficiently overdone in the world to warrant some reactionary dislike to relics in the abstract. Small phials of a saffron colour containing the fluid which formerly flowed from the tomb of St. Mungo,* are worse than unsavoury; and Martin Luther's beer mug is worse than ridiculous. But relics, when they are the right relics, are efficacious for all that. John Zisca's skin made into a drum was, notably. Possession of the *Amanat*, the sacred relics —to wit the prophet's cloak, some hairs from his beard, and the sword of Omar—still constitutes one of the recognized claims to the Mahomedan Khalifate.

Three of Savonarola's disciples contrived to carry away from his funeral pile the heart of the reformer. They mixed with wine a small portion of the ashes of this, drank the mixture, and bound themselves by a solemn oath to avenge their martyred master: to take no rest until the temporal power of the papacy was subverted. The club they founded, the "Tephrapotes" has from time to time vigorously helped towards that consummation, given much trouble to Austrian and Italian governments. and furthered the cause of liberty. An old waistcoat of J. J. Rousseau's fetched 950 francs at an auction sale in Paris some fifty years ago. Perhaps one of these fine days one of Mr. Bradlaugh's battered House of Commons hats will be worth as much. Time is your true beautifier: death the supreme alchemy; and the grave, like the Principal of a Commercial Academy for young gentlemen, keeps a garden wherein are olive and bay trees, and forcing houses for the outturn of epitaphs laudatory of scholars whose school fees have been regularly paid to the authorized agents. *De mortuis nil nisi bonum.* Which wise preachment, being interpreted into the vulgar tongue, means we have heard "when bad men die let all bemoan 'em." In olden times survivors were careful rather to provide the dead with money for Charon's ferry hire, than to ignore the sins they had enjoyed whilst they were alive.

The modern plan is more economical, and therefore, of course, better suited to the genius of modern times. Besides, we don't believe in Charon and Elysian fields nowadays, we moderns. The King Canute of nursery story fame, the paragon of wisdom, who allowed an incoming tide to wet his feet, and

* One of these figures in a list of the treasures taken away by the Abbott of St. Andrew's, Glasgow, at the time of the dissolution of the monasteries in Scotland.

took upon himself a severe cold in the head by way of showing his courtiers the folly of flattery, was the last Christian King of England careful to take with him to the grave coin for the satisfaction of Charon's demands. At least, we are not aware that a silver penny has been found in the hand of any royal mummy disinterred in England since (in June 1765) the workmen repairing Winchester Cathedral unearthed what was left of Canute and his wisdom. Funeral fashions have changed since his time in England, and Kings and Commoners find a better use for their silver in its application to coffin handles and escutcheons, and pomps and vanities of "undertaking."

J. H.

Art. V.—THE TRIAL OF MAHARAJA NANDA KUMAR.

A Narrative of a Judicial Murder.

I INTEND to discuss in this and other articles the famous trial for forgery which was held at Calcutta, in June 1775, before the Supreme Court of Judicature. In doing so it will be my duty to comment severely on the conduct of Warren Hastings and of Sir Elijah Impey, and I believe I shall be able to prove that the execution of Nanda Kumar* was a judicial murder.

I shall endeavour to establish the following nine points :—

1. That the bond-exhibit A† of the trial was not a forgery, but was the genuine deed of Ballaki Das Seth.
2. That no attempt was made to prosecute Nanda Kumar before May 1775.
3. That there is strong circumstantial evidence that Hastings was the real prosecutor.
4. That Kamiladdin Khan, the principal witness in the three trials for conspiracy and forgery, was closely connected in business with Kanta Babu‡ the banyan of Hastings, and was the intimate friend of Sadaraddin Munshi, who was formerly in the service of Graham of Bardwan, but who at the time of the trial had attached himself to Mr. Barwell. (120c.) I shall also show that this man Kamiladdin was one whose word could not be believed, and that he was correctly described by General Clavering as an infamous creature, and by Mr. Fowke as the scum of the earth.
5. That the trial was unfairly conducted. and that, in particular, the Chief Justice's manner was bad throughout.
6. That the jury was prejudiced and incompetent.
7. That the prosecution entirely failed to prove that the bond was a forgery.
8. That the execution was iniquitous, even on the supposition of Nanda Kumar's guilt, and that it was the result of a plot to stifle inquiry into bribery and corruption.

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* *i.e.*, the son of Nanda—a name of Krishna.

† It was marked Exhibit A. at the trial. It may also be called the jewels-bond. (Howell's State Trials, XX., 958.) In future references to Howell, I shall quote only the number of the column and insert this in the next.

‡ The Arabic word *farzi*—fictitious—is the proper term to denote the relation of Kamiladdin to Kanta Babu. *Benámidar* is, I think, a solecism, though *benámi* is common.

9. That Sir J. Stephen has, in his recent book, "The Story of 'Nuncomar' and the Impeachment of Sir Elijah Impey," partly from the zeal of advocacy and partly from his having approached his subject without adequate preparation, without knowledge of Indian history* or of the peculiarities of an Indian record, made grave mistakes in his account of the trial and in his observations thereon.

The Nanda Kumar charge was one of six preferred against Sir E. Impey. Sir J. Stephen has discussed them, one by one, but I do not propose to take up the remaining five or to follow Sir Elijah through the rest of his Indian career. I confess I do not see how his subsequent acts can be defended. I cannot admire his conduct in the Patna and Kasijora causes, nor can I see any justification or excuse for his strange journey to Lucknow† and his there hounding on the Resident to oppress two women. To me it seems that his Lordship as one fond of the classics remembered and observed while in the East, the Horatian maxim "servetur ad imum qualis ab incepto processerit et sibi constet," but the one thing which ought to attract the historian and all Impey's subsequent doings pale in interest and criminality before the murder of Nanda Kumar. I must however not omit to mention that his most recent biographer has unkindly cut the branch on which Impey's admirers had hung up some shreds of [illegible] reputation after painfully fishing them out of the mire. [illegible] have [illegible] for a time [illegible] in an uncertain manner but have now fallen [illegible] into Malbolge. I refer to Sir James Stephen's [illegible] II 252 under Impey's own hand that he was paid for his services as judge of the Company's Court and that he drew [illegible] in that capacity. [illegible] have [illegible] by the four words. This I have seen [illegible] Sir Elijah's [illegible]

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* See appendices A, B and C.

† [illegible] "The Lakhnau [illegible]" [illegible]

[illegible]

‡ Sir James [illegible] salary £[illegible] [illegible]

parently the person who started the tale of his magnanimity though by a curious retribution, it is the son who has led to the detection of the legend by placing his father's MS.S. in the British Museum. I am sure that Mr. Elijah Impey, the only partner in this bankrupt business of white-washing, who appeals to our sympathies, was incapable of suppressing evidence. Still, the fact that he did not read or did not apprehend his father's letter to Thurlow, shows the small value of his "Memoirs." Sir John Kaye followed in his wake and wrote in this *Review*, that Sir E. Impey had taken upon himself an immense amount of labour and had never got a farthing out of it. He, and probably others also, for the tale soon became an article of faith, must have misled Sir William James whom we find writing, that it was clear Impey had never taken what his enemies called the bribe—the salary attached to his new office. So too, Mr. Field tells* us, that Sir Elijah's

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by Wilson's giving *2s. 2d.* as the value of the sikka, and has not observed that this is the value for 1855, and that in the body of the article "Rupya," he states that 100 sikka rupis were reckoned as equivalent to 116 current rupis. In Impey's Memoirs (224) an account of the deposits of the Civil Courts in 1782 is given, in which the sikka is estimated at 16 p. c. better than the current rupi. In the same work (259) there is a quotation which appears to be taken from a minute of the Court of Directors defending the appointment of Impey, and in this paper the amount of salary is stated to be £8,000. The value of the sikka, as verified above, shows that Impey's monthly salary was 5,000 half-crowns or £625. If to this be added the 600 half-crowns paid to him for the rent of an office, we have a monthly total of £700 and an annual salary of £8 400. His pay as Chief Justice was fixed by the Regulating Act as £8,000, his second appointment, therefore, doubled his emoluments. The additional £400 might cover the expense of office rent. We thus see that Macaulay was right in describing Impey's salary as £8 000.

* The mistake of former writers was that, they did not give Sir Elijah sufficient credit for accuracy in the use of words. They did not perceive that when he wrote that he would decline *appropriating* to himself any part of the salary, he did not mean that he would not draw it but only that he would not spend it, and that he would be ready to refund it, if the Lord Chancellor disapproved.

I think that a similar inadvertency has led Sir J. Stephen into an erroneous remark on the charge to the jury. Dr. Busteed, in his delightful volume, "Echoes from old Calcutta," describes the summing up as short. On this Sir James remarks that Dr. Busteed must have overlooked the line of the charge which says that the Chief Justice read over the whole of the evidence. Now the term which Impey used was "recapitulates" and as this denotes to summarize or to give the principal heads of a subject, it would not be used by a correct speaker or writer to mean a verbatim recital. Against such an expression from Impey the note of the reporter—the boy Tolfrey or the almost, if not quite, equally youthful Elliot—is of no weight. Moreover, I think it can be shown that it was a physical impossibility for Impey to read over the whole evidence in the time at his disposal. The verdict was delivered at 4 A.M. on Friday June 16th, after a deliberation of about an hour, so that the charging came to an end at 3 A.M. On that same morning (1072 last para.) Kista Jiban Das was examined and cross-examined. This, and the short discussion about permitting him

conduct was irreproachable. If Sir J. Stephen had done nothing more than explode this legend he would deserve the gratitude of the lovers of truth.

With regard to the execution of Nanda Kumar, I adopt the conclusions of Burke, Mill and Macaulay, and I hope to show that this illustrious triumvirate was justified in condemning Hastings and Impey, and that Sir J. Stephen has not succeeded in his attempted rehabilitation.

Sir J. Stephen is an able man, and so long as he confines himself to his own domain of English Criminal Law, every one must feel a hearty respect for his opinion but his love of contest has more than once before led him to take up questions which he was incompetent to handle. Some years ago, he made himself ridiculous in the eyes of good judges, by invading the territory of metaphysicians and by attacking, as he imagined, the views of Auguste Comte without studying his writings. At the same time and pressing poor Virgil into the service, he set himself to excuse Pontius Pilate, so that we need not wonder at his coming forward to vindicate Sir E. Impey.* All judges and governors are sacred in his eyes, and his highest idea of a touching scene is that of a judge listening to a criminal! Sir J. Stephen has been a very successful man and his talents and industry have deserved success, but perhaps it is because he has been so successful that he cannot perceive that his abilities are limited. He has the air of believing that, because he has become a judge of the Queen's Bench Division, he must be right and every other person wrong. I think that we may without injustice apply to himself the exaggerated language in which he has spoken of Impey, and say that he has had an excellent legal education, that he is a man of remarkable

to depose, could not have occupied less than an hour. His faltering and stammering must have taken up time. Then Impey had a few minutes to recollect himself (1076) so that altogether he could not have begun his charge till about 1.30 A.M. Impey had thus an hour and a half at most for his recapitulation, and it is impossible that in that space of time he could read through evidence which occupies [illegible] columns ([illegible] pages in Sir J. S.), [illegible] of Howell's close print and [illegible] of the record!

* Sir J. S. says (I, 3?) that Impey seems to him to have resembled closely many other judges whom he has known. [illegible] English Judges at home and in India? And [illegible] Sir James' colleagues of the Queen's Bench [illegible] Judges, [illegible] ought to have a good [illegible] [illegible] English Judge [illegible] such a reputation [illegible] Cornwallis [illegible] Chief Justice [illegible] for seven years [illegible] (Story of Nuncomar, I, 33)

energy and courage, and that he has a great deal of rather common-place ability. But such mortal weapons will avail little in a contest with the Gods! or, to drop metaphor, mere talent will not avail in a contest with the genius of Edmund Burke, on a subject to which that genius devoted years of intense labour. Sir J. Stephen looks at great questions from the point of view of the mere practising lawyer, and in consequence he cannot grasp them: witness his dreary letters on the Afghan question and the Ilbert Bill. The notion which he seems to entertain, that the Nanda Kumar question can be settled by one who has applied to it only a knowledge of English Criminal Law is about as grotesque as that of pedants "who think to climb Parnassus by dint o' Greek." His rashness has even led him into mistake in his own particular department. Did he not write comments on the Criminal Procedure Bill, which his successor declined to publish from tenderness to the learned Judge's reputation?

I cannot think that the "Story of Nuncomar" will permanently add to Sir J. Stephen's fame. When the chorus of journalists shall have hushed, and when the time has gone by

When wits and templars every sentence raise
And wonder with a foolish face of praise

the blunders and one-sidedness of the book will be discovered, and men will come back to the truth. They will remember that Cornwallis, an honourable gentleman and no Whig, wrote in 1786, only two years after Impey's departure from India, begging that he might not be sent out again, and observing that all parties and descriptions of them agreed about him. That, again, in 1788,—the year of the impeachment,—the same high authority wrote that he was very sorry for Hastings, but that if they wanted somebody to hang, they might "tuck up" Sir E. Impey without giving anybody the smallest concern. When the dust of controversy has been laid, men will recur to the opinion of Burke and accept in shame and sadness the verdict which he pronounced in his speech on Fox's East India Bill. "His ancient rival for power, the Rajah Nuncomar, was by an insult on everything which India holds respectable and sacred, hanged in the face of all his nation, by the judges you sent to protect that people, hanged for a pretended crime, upon an *ex post facto* Act of Parliament, in the midst of his evidence against Mr. Hastings. The accuser they saw hanged. The culprit, without acquittal or inquiry, triumphs on the ground of that murder; a murder not of Nuncomar only, but of all living testimony, and even of evidence yet unborn. From that time not a complaint has been heard from the natives against their governors. All the grievances of India have found a complete remedy." It is a refreshment to read these

ringing words and an encouragement to me to proceed with my task.

Sir J. Stephen has pointed out some mistakes in my essays, "Warren Hastings in Lower Bengal" published in this *Review* in 1877 and 1878, and notably a blunder about the *kursinama*. I have no doubt that he is right in saying that this should be *karari nama*, or some equivalent word, and I admit that my mistake shows that I had not sufficiently studied the report of the trial. In fact, I had not a copy of it with me when I was writing my articles in a remote station in northern Bengal, and was obliged to rely on notes made some months previously in England. These contained the word *kursinama*, and as I knew that genealogical trees were often filed in our Courts, I accepted the term without further consideration. This, of course, shows how imperfectly I had read the trial, but my subject then was Hastings rather than Impey, and according to my view, which seems also to have been that of Macaulay, it mattered little as regarded the guilt of Hastings, whether the bond was true or false. It was the prosecution and the hanging which I regarded as iniquitous rather than the conviction, which might have been mainly the doing of the jury and might have been warranted by the evidence. Another thing which led me to neglect the report of the trial was, that I understood from Farrer's evidence that it was not full or accurate. It was published in England by Elliot, the protegé of Hastings and Impey, and doubtless it is not quite complete. It is also most confused and difficult of comprehension. I have now, thanks to the Calcutta Public Library, obtained the 20th volume of Howell and have been animated by Sir J. Stephen's example to study the reports of all three trials very closely. I certainly had no idea that so much could be got out of them, and I here offer my thanks to Sir J. Stephen for putting me on the proper track as well as for the service his own book had done me. It seems to me that an adequate study of the reports will enable us to trace the conspiracy against Nanda Kumar and almost to demonstrate his innocence. I am only sorry that I have been as yet unable to procure the original edition. Howell's abounds in misprints and other errors, and it may be that these do not occur in the original edition. At all events, if they do, and if Elliot supervised the publication and was the scholar he is regarded to have been, the number and character of the mistakes are extraordinary. Sir J. Stephen does not refer to the original edition and does not appear to have seen it. I gather this from what seems a mistake made of his in referring to the report of the conspiracy trials. He [illegible] that they were published under the authority of the Supreme Court, but I doubt if this was the case.

Elliot's letter to Cadell the publisher and the enclosure from the Judges * appear to show that the publication of the forgery trial only was authorized.† It would be strange if the Judges were responsible for the reports of the conspiracy cases for they go into details beyond the scope of a report and breathe a strong party spirit. If Elliot edited them they show how unfortunate—to say the least—it was that Impey should have insisted on his being interpreter in the forgery case.

With these remarks I proceed to discuss my first and second points, namely, that the bond was not a forgery, and that there was no attempt at a prosecution before May 1775. I must premise that I am unable to treat exhaustively of the first till I come to the account of the trial. I shall then complete its discussion along with the seventh point, *viz.*, that the prosecution failed to prove that the bond was a forgery. As, however, I have adopted a chronological order in my discussion, the question of the genuineness of the bond must rise up early in my narrative of events, for it purported to have been executed on August 20th, 1765, that is, nearly ten years before the prosecution began. The second point will be elucidated with the first. Both are of great importance, and therefore I trust I shall be excused if I treat them at what may appear to be excessive length.

I perhaps cannot hope to make the subject interesting except to Bengalis and to those Englishmen who like studying historical puzzles and are not, to use the words of Thucydides, unenduring in the quest of truth. To myself, however, it seems that the question of whether Hastings and Impey put Nanda Kumar to death unjustly is far more interesting and important than the oft-debated questions of the authorship of Junius or the guilt of Mary, Queen of Scots. Moreover, the latter subjects have now been pretty well threshed out, and in one of them a far off touch of chivalry makes inquirers unwilling to press the evidence against a weak woman. No such scruple holds our hands in the case of Hastings and Impey, especially when they have lately secured so redoubtable a champion.

The question of the genuineness of the bond lies of course at the very root of the case. If it can be shown that the bond was genuine, Nanda Kumar was an innocent man and the victim of perjury, though the jury may still have honestly believed him guilty. The importance of the other point, that is, of the genesis of the prosecution, lies in this, that if it can be proved that an attempt was made to prosecute Nanda Kumar for forgery long before he lodged his complaint against Hastings, the probability that the latter was connected with the subsequent proceedings

* Impey's Memoirs, p. 122.

† This is also implied by the two title pages of Cadell's edition printed in Mr. Belchambers' Note (p. 9).

is much diminished. On the other hand, if it can be shown that no one tried to prosecute Nanda Kumar for forgery till May 1775 there arises a strong presumption that the accusation was, as Sir J. Stephen admits (I. 89) was the case with the conspiracy charge, a counter move in the game begun by Nanda Kumar in the previous March. Sir J. Stephen maintains that there is evidence of an attempt at a prosecution early in 1774, and he insinuates (as I understand him) that I knowingly passed it by. I adhere, however, to my former assertion, and hope to show in due course that what Sir J. Stephen considers evidence of previous attempt at prosecution was really not such. Meantime I may state that neither Mohan Prasad in his evidence nor the Chief Justice in his summing up to the jury made any allusion to a previous prosecution or to an attempt at one. Further, I unhesitatingly affirm that the assertion of an attempt to prosecute early in 1774 has no foundation other than an ambiguous account given by Farrer in 1788 of a conversation which he had with Mr. Driver, the attorney of Ganga Vishnu 14 years before. Farrer's account, or at least Driver's statement to him, is also opposed to the words of the petition which Driver filed in the Mayor's Court in March 1774, and to which he was referring when he spoke to Farrer. The account is also opposed to the statement of Sir Elijah Impey before the House of Commons that he had no evidence to prove that the endeavour to procure the papers from the Mayor's Court was intended as a step towards a criminal prosecution.

In order to deal fully with my subject I must go far back, much farther than Sir J. Stephen has gone (I. 93) and I begin with an account of Bulaki Das, the man whose bond was said to have been forged. Most of my information is derived from the report of the trial, but I have obtained interesting and valuable facts also from Bolts' "Considerations on India (sic) Affairs."

LIFE OF BALLAKI * DAS.

Ballaki Das, otherwise Ballaki Das Seth, was a Hindu [illegible] or up-country man by birth, and belonged to the [illegible] [illegible]

* [illegible]

rose to wealth and importance by becoming the banker of Mir Qasim. He had transactions in Dacca and many other districts of Bengal and had correspondents in Benares, on which place he once, in Dec. (?) 1765, granted a letter of credit for a lakh of rupees in favour of Lord Clive.*

When war broke out in 1763 between the Company and Mir Qasim, Ballaki either voluntarily followed his master's fortunes or was carried along in his train. More lucky than the father and uncle of Jagat Seth, he was not put to death at Barh; still he did not escape without suffering. He was in camp with Mir Qasim at Baxar and achieved the disagreeable pre-eminence of being the first person selected by the Nawab Vizier Shuja-ad-Daula as a subject for extortion. He was made over to the Nawab's treasurer, Khaliq Yakut (?) to be squeezed and kept in confinement for about a month. Sir J. Stephen says that he was confined in his tent but there is no authority for this, and the probability is that he was kept in some less comfortable place. It was Mir Qasim who was kept under surveillance in his tent. Ballaki's bookkeeper, Kista Jiban, was also imprisoned but this was about a fortnight later.

About the time of his imprisonment Ballaki is said to have received a remittance of treasure through the hands of one Mir Asad Ali. The treasure was being conveyed from Rohtas Garh to Mir Qasim under the escort of Mir Asad, and Mir Qasim told him to make it over to Ballaki Das. From this arose a point of great importance at the trial, for Mir Asad gave evidence for the defence and produced a receipt for the money bearing Ballaki's seal and dated 14 Rabi-as-sani 1178 H. (11 Oct. 1764.) This was material because Sir E. Impey examined the impression of the seal (a trouble which he did not take in the case of Kamiladdin's) and found that it agreed with the seal on the bond which Nanda Kumar was alleged to have forged. This receipt then, if genuine, was strong evidence in Nanda Kumar's favour, for it went to show that the seal on the bond was the genuine seal of Ballaki Das. Sir E. Impey, however, disbelieved Mir Asad's receipt, saying that it seemed clear beyond a doubt that the receipt could not have been given by Ballaki Das and that the whole was a fiction. He went on to use this as a ground for distrusting the other witnesses for the defence, observing that the fictitious receipt might account for the

* Sir J. S. says that the evidence of this transaction, which is referred to by Impey in his charge, is not given in the report of the trial. He is wrong. (954) Perhaps he was not aware that Naba Krishna was Clive's banyan, but even so, he might have seen Clive's name in the entry proved by Kista Jiban. The money was repaid by Clive about five months afterwards. It appears probable from Bolts (II, 43) that Clive wanted the money to invest in diamonds which were then used as a means of remittance to England.

death of Mir Jafar, which did not take place till February 1765, is also described earlier in the volume than the battle. As regards the truth of Mir Asad's story, however, it does not matter whether Rohtas was surrendered in the end of September, or in October or November In any case Mir Asad may have brought treasure from the fort for which he received a receipt at Durgauti on October 11th.

One important point brought out by the Foreign Office records is that Mir Asad Ali was no myth, but a real person, who was at Rohtas in August or September 1764 In a letter-book at the office containing translations of Persian letters we find (p 486) a letter (No. 247) from Shah Mal, the governor of Rohtas to Major Munro, dated September 6th, and received in Calcutta on the 22nd idem In it he writes, "I have had the honour to receive three letters from you, the first by your harkaru, the second by Gholam Husain Khan (the author of the Sair?) and the third by Mehdi Ali Khan and I returned you three answers, one by the harkaru and the others by the aforesaid gentlemen, and therein represented my situation to you. Besides which I have written you three other letters and forwarded them to you, the first by a qasid of my own, the second by *Mir Asad Ali*, and the third by a harkaru in my own service. Doubtless you must have received them I remain firm in this place in the hopes of your favour and protection" Then he adds that Mir Solyman has arrived on the part of the Vizier. In another letter, (No 248) received in Calcutta, September 22nd but not dated, Shah Mal says, "You write that Mir Asad Ali has not yet arrived with the said papers. This surprises me much, perhaps he may have met with some accident on the road, or perhaps he may have gone by way of Tikari, and on that account may have been so long on his journey. * * * Mir Asad Ali is a great friend of Dr Fullarton, when he arrives he will inform you of everything, however, let not the sending of a detachment hither be deferred in case of his not *arriving speedily*."

The paper which Mir Asad Ali was to convey to Major Munro was a statement of the conditions on which Shah Mal was willing to surrender the fort. It, or a copy of it, which Shah Mal sent when he heard that Mir Asad had not arrived, was received by Munro and forwarded to Calcutta. The fact that Mir Asad was entrusted with a paper so important, and that he was also to explain matters [illegible], shows that he was a man of some position, and his being a friend of Fullarton affords some evidence that he was an honest man.* It is by no means unlikely that

* In the letter-book at the F. O. there is a good deal of correspondence [illegible] [illegible]

surrendered after the battle of Baxar (Montgomery Martin's Eastern India, I, 434.) And he has been followed in this statement by Thornton and Hunter and by the author of "Chronicles of Rohtas." (*Calcutta Review*, April 1878.)

It is difficult to suppose Buchanan could have mistaken the date of the surrender, but on the other hand there are papers in the Calcutta Foreign Office which show almost conclusively that Rohtas fell into the hands of the English about the end of September. First, there is a letter of September 11th from Munro to Goddard telling him that Shah Mal, the governor of Rohtas, had agreed to surrender the fort, and directing Goddard to proceed to take delivery of the fort as soon as he had been joined by some troops from Patna.

Secondly, there is a letter of September 16th from Munro to the Council stating that Captains Goddard and Stables had gone to take possession of Rohtas.

Finally, the President informs the Calcutta Board on the 11th or 15th October (it is not clear which) that he had received a letter from Major Munro, dated the 2nd instant, reporting the surrender of Rohtas te Captain Goddard's detachment.

My reasons for calling this evidence not quite conclusive are, that I have not seen any letter from Goddard himself, and that it appears from Major Munro's letter of September 11th, that he had no clear idea of the geography of the country. He tells Goddard, who was then at Tikari, that upon the arrival of some troops from Patna, he is to march to Culvar (Koilwar?) "sending harkarus with my letter to Shah Mal and one from yourself, acquainting him with your intentions and he will, upon seeing you and your party, come over to you with boats to carry your own detachment over the river and will put you in possession of the fort" Now Koilwar is near the mouth of the Son and a long way from Rohtas. It was also held by the Vizier's troops, and Munro had some difficulty in crossing there on October 10th. It is just possible that Shah Mal may have surrendered the keys of the fort in the end of September, but that Goddard did not cross over and take possession till later. Captain Broome, in his history of the Bengal Army, says that Goddard afterwards marched down from Rohtas and took part in the engagement at Koilwar on October 10th. But I do not know his authority for this, and it is singular that if Goddard was there on the 10th, he did not take part in the battle of Baxar on the 23rd. (See his evidence.)

The statement that Rohtas was surrendered before the battle of Baxar is also supported to some extent by the Sair-al Matakherin, but the account there given is not clear, there are no dates, and though the description of the surrender precedes that of the battle of Baxar, much cannot be inferred from this, as the

death of Mir Jafar, which did not take place till February 1765, is also described earlier in the volume than the battle. As regards the truth of Mir Asad's story, however, it does not matter whether Rohtas was surrendered in the end of September, or in October or November. In any case Mir Asad may have brought treasure from the fort for which he received a receipt at Durgauti on October 11th.

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* In the [illegible] O [illegible] [illegible] [illegible] [illegible]
Mir Asad [illegible]

he was paid Rs. 2,000 as he says he was, for his services in negociating the surrender. Nor does the taking part in this transaction cast any imputation on his honour. He was Mir Qasim's servant, and Mir Qasim apparently preferred that Rohtas should fall into the hands of the English rather than into those of the Vizier and his faithless servant Mir Solyman. It is quite possible that Mir Asad may have returned from Patna in September with Munro's acceptance of Shah Mal's proposals, and may afterwards have conveyed treasure from Rohtas to Mir Qasim. We know that after the battle of Udha Nala on September 4th, 1763, Mir Qasim removed his wives and his treasure to Rohtas, and that they remained there for many months.

This fact—that Mir Qasim had treasure at Rohtas—is I submit a material corroboration of Mir Asad's evidence.*

We may, I think, credit Shuja-ad-Daula and his treasurer with being likely to know what they were about when they put Ballaki in confinement and placed guards over Mir Qasim. They must have known that there was money to be got but that it was not in the camp. Had it been there, they could probably have laid hands on it at once, for Shuja-ad-Daula's army was the larger, and Mir Qasim was too timid a man to have offered resistance. They must have been aware, as we are now, that Mir Qasim had treasure in Rohtas, and that it was thus out of their reach unless they could put pressure on Mir Qasim and his servants and compel them to send for money for their ransom. What then more natural than to begin with Ballaki, the banker and army pay-master? There is therefore no difficulty in believing that Mir Qasim may have given orders shortly before the battle of Baxar for money to be brought from Rohtas or that Mir Asad brought it. The only question

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of Shuja-ad-Daula and styled Mirza Asad Khan Bahadur. Prior to the battle of Baxar, Major Munro had a good deal of correspondence with some Mughul cavalry officers who were willing to leave the Vizier and enter the English service. One of their letters has been published by Mr. Long in his Selections from the Records (I, 358, No. 716) Mr. Long also publishes a letter from Shah Mal (No. 717) and his terms of capitulation (No. 718) but he incorrectly describes them as sent by the Nawab. In the F. O. there is a copy of a letter (No. 253) dated October 3rd, 1764, and sent to Asad Khan by the President of the Council.

* A more thorough examination of "Calcutta Review" articles which bear on this subject would have saved Sir J. S. some errors. The "Chronicles of Rhotas" (April 1878) would have acquainted him with the fact of Mir Qasim's treasure being at Rohtas. It is the more singular that he has not perused this article because it is contained in a number in which is another to which he makes frequent reference.

Again he writes of Impey's letter to Governor Johnstone (I, 255) that it "had never been published" and "I discovered it—in the British Museum." Sir John Kaye had, however, already discovered it and published it in the C. R. (VII, 478, or Selections II, 572.)

at the receipts having been given at Durgauti, for it is hat Mir Qasim and his army were encamped at Baxar month or so before the battle. But in the first place, the pt was not dated Durgauti though Durgauti was mentioned, and it is possible that Mir Asad Ali may have forgotten the et spot where he delivered up the treasure. In the next place, do not know where Ballaki was confined by Shuja-ad-Daula's asurer. Kissa Jiban does not distinctly say that it was at axar, and it is not impossible that he may have been removed o some safe place in the rear of the army, or he might have been taken to the banks of the Durgauti as being nearer to Rohtas and the treasure. The Chief Justice said in his charge that Mir Asad stated that the transaction took place when Ballaki was *with the army* at Durgauti but I do not find this in the report. It may be an inference from what Mir Asad said, but it is not what he said and it may be wrong.

It is a curious circumstance that in M. Raymond (Haji Mastapha's) translation of the Siyar [illegible] 353 and 354—the pages are misnumbered 347 and 348) the name Durgauti is given to the little stream behind Baxar where so many persons perished after the battle. It is described as separating the Vizier's camp from the Emperor's. If this is correct there is no longer any difficulty about the receipt, but I am bound to say that I cannot find the word Durgauti in my copies of the Persian Siyar and its Urdu translation, and that the river in question is generally called the Thora Nadi. It does not however seem likely that the translator would insert the name Durgauti without some authority, and it may be, therefore, that he found it in the MS. from which he translated. Besides this if he who seems to have passed through Baxar two years after the battle could make a mistake about the name of the river so too might the writer of Mir Asad's receipt. Captain Williams speaks of the Durgauti as a nullah running parallel to the Karamnasa and about four miles from it.*

* Captain Cameron said he believed there was a town called Dorgauti [illegible]

Mir Asad stated that he delivered the treasure to Ballaki Das at a place called Dues Gauty (Durgauti) westward of Saseram (99.) Perhaps some discredit was thrown on this statement by Captain Camac's evidence when he told the jury that the Durgauti falls into the Son, though he too said that the Durgauti was crossed on the road from Saseram to Baxar. It is, therefore, worth while to point out that Captain Camac was mistaken for the Durgauti falls into the Karamnasha and not into the Son. As Mir Qasim was in possession of Rhotas till the end of September, it is by no means improbable that he, or the Vizier, may have had troops encamped on the Durgauti in October. We know from Kista Jiban that the army was once there, and it would be unfair to press too closely his recollection of the movements of an army so long before. He might be mistaken by weeks as to the time at which the army went into cantonments at Baxar. He was, I think, still less likely to be able to say where Ballaki was on October 11th, for he himself must then have been in confinement.

Kista Jiban was a witness for the prosecution as well as for the defence, and it seems to have been his misfortune, and that of Nanda Kumar, to be believed when he gave evidence for the prosecution and disbelieved when he supported the defence. Both Impey and Sir J. Stephen appear to have forgotten that Kista Jiban was the servant of Ganga Vishnu, and thus wholly dependent at the time of the trial on Mohan Prasad. At that date Ganga Vishnu was an invalid and living in Mohan Prasad's house. When Kista Jiban said that Mohan Prasad was a great man and that he was afraid of him, the cross-examining Judges (?) tauntingly inquired whether the Maharaja was not a greater man. This, I think, was both heartless and ridiculous. A brahman and a Maharaja might be intrinsically a greater man than a Calcutta broker, but the former was in the felon's dock, while the latter was all in all to the poor clerk who depended on him for bread. It seems to me that Kista Jiban was willing to tell the truth but that he was terribly afraid of Mohan Prasad. Impey's remark in his charge that Kista Jiban was not afraid to contradict Mohan Prasad about the army-books seems to me ill-founded. The matter was not of moment, and Kista Jiban may not at first have been aware that he was contradicting Mohan Prasad. I presume that he was not in Court while Mohan Prasad was under examination. Besides, he was asked about the books and had to answer. He might have done the same about showing the *kararnama* to

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explain a revenue term. The explanation is that he had been appointed by Hastings, in November 1773, to the charge of one of his grand revenue divisions (Bardwan, Medinipur, Birbhum, etc.) (Harington, II, 202) and this may account also for his zeal in twice giving evidence.

...n Prasad if he had been asked.* Kista Jiban did not ...lect seeing Mir Asad with the army, but he admitted that ...was not acquainted with even the principal servants of Mir ...im, and it does not appear that Mir Asad was a prin... servant. If Mir Asad's story be true he was in camp ...a short time only, as he brought the treasure from Rohtas ...l then returned there.† Kista Jiban must have been in a ...te of much trepidation at Baxar, and thus unlikely to be ... accurate observer. He was in a somewhat confused state ...so when giving his evidence, for he began by saying that he ...as imprisoned *after* the battle.

What strikes me very strongly is that nothing was gained by ...mentioning Durgauti in the receipt if it was a concocted story ...and a forgery. I have shown that Mir Asad was Mir Qasim's ...ervant and that he was in Rohtas in 1764. He must have ...known where the army was in October, and he, or whomever ...he got to forge the receipt, could as easily have put Baxar as Durgauti into it. Durgauti could not have been chosen to get rid of Kista Jiban's presence, for Mir Asad said that the former was present when the money was paid. Whether this was a mistake of his or of Kista Jiban's I cannot tell, but the rule is that when one witness asserts a fact and another does not recollect it, there is a presumption in favour of the positive statement if both witnesses are equally credible. Now Mir Asad was a man of some position. He received, as has been said, Rs. 2,000 from Major Munro, the conqueror of Baxar, and he was later superintendent (daroghah) of the Patna Mint under Shitab Rai who knew and loved a brave man. He was an up-country man, and came to Bengal with Ali Gohar, afterwards Shah Alam. Then he became the servant successively of Mir Qasim and Mir Jafar. He seems to me to have given his deposition in an off-hand ... like manner such as would impress one with a belief in his veracity. He was cross-examined in a minute, and as I think, in a harsh and cruel manner, and he gave satisfactory replies. Thus, he was asked why he did not make over the receipt to Mir Qasim, and as to how the *mutsuddi*, or accountant, could take up his books without the receipt? To this he answered very reasonably

* [illegible]

† [illegible]

that the country was in great trouble, that Mir Qasim's household was in much disorder, and that the Nawab himself (Mir Qasim) ran away. He added that when his master went away he was at Rohtas, to which place his master had sent him.

We have not got the receipt, or a translation of it, but it is reasonable to suppose that it was of the kind ordinarily given to an escort, that is, for so many bags or boxes said to contain such and such treasure. This seems implied by Mir Asad's statement that he gave bags of rupees to Ballaki, but that he could not tell how much each contained. We are not told that the receipt specified the amount of the remittance. A receipt, such as Mir Asad was likely to get, and such as the one produced seems to have been, would have been of little use to an accountant, and we need not wonder therefore at its not being made over to the mastaufi, even if we suppose that accounts were being kept at Baxar. Ordinarily, an escort keeps the receipt which he gets. If the money was paid to Ballaki when he was in confinement, he only nominally received it, and can only have given a receipt to satisfy the commander of the escort. Why should he enter the money in his books if it was at once swept away by his gaolers? As Kista Jiban very simply and, truly said, "When a man is in confinement, he who confines him will take the money; whatever Ballaki Das had, Khaliq Yakut (?) took from him."

I therefore see no objection to Mir Asad's story, on the ground that Kista Jiban could not find an entry of the payment in the army books. If Ballaki was in confinement at the time, he would hardly have his books with him, and if he had, he was not likely to charge himself with money which he did not really get. He may have entered the receipt in his private papers which nobody used to see, and a boxful of which was lost at the battle of Baxar. (1024.) Or it may have been entered on the Persian department of Ballaki's business, about which Kista Jiban knew nothing.

Another point about which Mir Asad was severely cross-examined was as to how he had the receipt brought from Murshidabad. To this he answered clearly enough, that he had married a Bengali lady at Murshidabad, and that he had sent a letter desiring her to send him his amulet in which the receipt was wrapped up. She did so and sent a note along with it, and this seems to have excited the suspicions of the Judges, for they asked "Did she write it herself?" To which the witness replied by asking another question, "Do women know how to write?" Then Mir Asad was asked who brought the receipt to him from Murshidabad, and he answered, "One Shaikh Bazu" (?) and he described his appearance, and offered to bring him next day. He spoke of this Bazu first as his servant, and

his *rafiq*, and the Judges seem to have thought that this contradiction, and cross-examined him about it, though Glossary to the trial, which I presume was drawn up by we are told "*rafiq*, literally a friend, but means all gh the trial a half-friend and half-dependant." e cross-examination as to how Nanda Kumar came to about the receipt was, I think, unfair, because according he practice of those days, the prisoner's mouth was closed. ough Mir Asad offered to produce Bazu, the court do not n to have accepted his offer. On the other hand they called, allowed to be called, no less than five Englishmen, among om were a Colonel, a Major and a Captain, to contradict Mir ad! No doubt the appearance of so many honourable gentle- en was calculated to impress a jury, which was in part composed East Indians,* and which could not be expected to know that aptain Camac's geography was incorrect. This plan of call- g rebutting evidence seems to have been followed all through he trial. Whenever a witness said anything in favour of the lefence, witnesses were called to contradict him. Thus, when Mohun Das was examined and said that he was a merchant, one Jugal Latty (?) was called in, apparently to discredit him. So too was Yeandle the gaoler, and apparently also Mr. Durham the counsel for the prosecution called in to contradict Manahar Mitra. All this may have been in accordance with the English practice of the day. This is a point which I must leave to Sir James Stephen to decide, but to me in my ignorance, it seems strange, that after the case for the prose- cution had closed, they were allowed to give rebutting evidence. One does not see why this should not have been followed by subrebutting evidence on the part of the defence, and so on *ad infinitum*.

An important point about the receipt, if it was genuine, is that it shows that Ballaki executed papers in Persian, and sealed, but did not sign them. This was the way in which the bond alleged to be forged was executed, and we learn from Kista Jiban, that Ballaki executed Persian papers in this way. He tells us, (1035) that Ballaki used to sign Nagari papers, and put his seal on those in Persian. He also said that when Mir Qasim's sipahis brought drafts for their pay, Ballaki Das took the drafts from them, and gave them a paper in Persian, on which he put his seal. This passage is interesting

* Mr. Long (C. R. Sel. [illegible]) tells us that Weston was an East Indian, and it is probable that others of the Jury were so too. Some of them were, at all events, country born, for Impey said in his charge "some are who were born here." Englishwomen were scarce in those days, and it is probable that most of the country born were half-breeds like Weston, who was the son of the Recorder of the Mayor's Court. In any case [illegible] and lived in India could not have had [illegible]

as showing that Ballaki acted as army-paymaster for Mir Qasim, and that Mir Asad's receipt was such as Ballaki would have been likely to give.

On the whole, I can see no good reason for rejecting Mir Asad's evidence, and if it was true, it was a strong admission of the case for the defence. Sir E. Impey may be excused for doubting it as he had been only eight months in India, and had not access to histories or maps. There is less excuse for Sir J. Stephen: he has, indeed, been altogether unfortunate in his remarks about the receipt. In addition to errors already noticed, he tells us that it was dated 28th Assum, (Aswin) 1174. Half of this mistake is due to Mr. Elliot or to a misprint, for Elliot is made to say 1174, though probably he really said 1170; but the other half is Sir J. Stephen's own. Elliot did not say that the receipt was dated 28th Aswin 1174. The only date on the receipt was the Muhammedan one, 14 Rabi-as-sani, and what Elliot is reported to have said is, that this date corresponds to 28th Aswin 1174. In fact, the date seems to correspond to one a day or two later, the end of Aswin or the beginning of Kartik 1170. This brings the date nearer to that of the battle, but does not, I think, increase the improbability of its being genuine. I beg to remind my readers that we have not the receipt, nor a translation of it, and that a slight mistake in the Persian, or in Elliot's reading of it, might make a great difference in the date: thus, if the date had been 4th instead of 14th Rabi-as-sani, or if Rabi-as-sani, (also called al-akhir) had been written or read by mistake for Rabi-al-awal! The difference between chaharam and chahardaham in Persian shikast writing is very slight, and we know that mistakes of this kind often occur in Persian MSS. and books. We have an instance of this in the account of Nanda Kumar's execution given in the Sair-al Matakherin. In the translation quoted by Sir J. Stephen, (I, 265,) the date is given as 17th Jamada, and this seems to be correct, as it corresponds, or very nearly does so, with 5th August, but in a Persian edition published at Lakhnau, the date given is 7th Jamada-as-sani.

I think we may fairly draw some inference in favour of Mir Asad's veracity from the fact that the prosecution against him for perjury was unsuccessful. This, we know, from a letter of Impey's (to Thurlow?) dated Jan. 20th 1776. According to the account therein given by him, it was the jury who asked the Court to prosecute the principal witnesses for the defence, whereas it would appear from Brix' letter to Farrer that the prosecution was undertaken at the instance of the Court. The important fact, however, is that the proceedings were abortive, Impey's account being that "from the testimony having been delivered in Persian, and inte[illegible]

skill in drawing the indictment, it was found impracticable to prosecute the offenders to conviction."

In the same letter, Impey refers to the correspondence between Farrer and the foreman of the jury (Robinson) about recommending Nanda Kumar to mercy. Sir J. Stephen says (I, 230) that Robinson appears to have complained to Sir E. Impey, and though I am anticipating what should properly be mentioned in a subsequent article, I cannot resist the temptation of pointing out that this was not the way in which the matter was brought to the notice of the Chief Justice. The correspondence was sent to him by a Mr. Belli and accompanied by the following introductory note: "Mr. Belli presents his respects to Sir E. Impey and at Mr. Robinson's request encloses him a second address from Mr. Farrer to Mr. Robinson, with Mr. Robinson's reply to it"—"the word victim in Mr. Farrer's address is very remarkable." This was on August 1st 1775. Now who was Mr. Belli? I do not yet know what he was in 1775, but in 1777 he was Warren Hastings' private secretary, and I presume he must have been so for some time, for Hastings had so much confidence in him that he gave him a large contract for victualling Fort William.* We know too from Price that Mr. Robinson was a private friend of Hastings. I appeal to my readers if this is not evidence of Hastings' taking part in the proceedings against Nanda Kumar. If Belli was private secretary in 1775, I should say that the evidence was almost conclusive, for there could hardly be any thing stronger than the fact of the Governor's Private Secretary writing to the Chief Justice after the conviction, and with the obvious intention of getting Farrer censured and of preventing Nanda Kumar's respite.

I have been thus minute in my account of the episode of the receipt of Mir Asad Ali on account of the great importance which has been attached to it by Sir E. Impey and Sir J. Stephen. It may be treated as an incident in Ballaki's life, though perhaps it more properly belongs to the history of the trial. It, however, suits my purpose to point out Sir J. Stephen's error concerning it without the delay which must otherwise occur. I now resume the biography of Ballaki Das.

LIFE OF BALLAKI DAS (*Resumed*)

The battle of Buxar was fought on October 23rd, 1764, and though it restored Ballaki to his liberty, he was plundered of

* [illegible]

everything he possessed. He lost a box of private papers and escaped with nothing but the coat (jama) on his back. We learn a good deal of his subsequent movements from the curious work of Mr. Bolts already referred to. There are a number of minutes (Vol. 3, part 2, app. A, pp 52 to 119, Ed. 1775) relating to a quarrel between Lord Clive and a civilian of the name of George Gray, and in these the name of Ballaki turns up pretty frequently. Gray had been Chief at Malda, but in September 1765 he was a member of the Council of Fort William, and probably also Collector of Calcutta. Clive accused him of levying a tax on prostitutes and bluntly wrote to him "Sir, Complaint has this morning been made to me, that you are taking money from the whores of the town, which I understand is a practice prohibited by the Company; and, therefore, I desire you will discontinue it until you are authorized to the contrary by the Governor and Council." Gray defended himself by saying that he took the money from the women for their own good, in fact he was a precursor of the C. D. legislators. Clive was not the man to brook opposition, and on finding some other charges against Gray, he arrested his banyan Ram Nath Das, and kept him under a military guard; though this was in the town of Calcutta. Gray was indignant at his servant's arrest, and in the discussion which followed, he put some very awkward questions to Clive, such as whether he did not deceive Amichand by a fictitious treaty, and if he could account for Admiral Watson's name appearing on the treaty, though Watson had refused to sign on the ground that to do so would be derogatory to his character as a British officer. To do Clive justice, he had the manliness to answer Gray, though his questions were irrelevant, and offensive, and to tell what had been done on the occasion of the treaty with Amichand. Whatever we may think of the sufficiency of Clive's defence, his conduct in meeting the accusations was better than the skulking behaviour of Hastings when he was accused by Nanda Kumar. The one man boldly said what he could in his defence, and the other shuffled, and by dint of various subterfuges, contrived to evade every attempt to bring him to book. This was perhaps good policy at the time, but the result is, that in order to show that Hastings ever denied the receipt of the presents, his latest apologist has actually been driven to quote and use as evidence an anonymous note on a lawyer's brief. (Stephen, I, 73.) Another question which Gray put to Clive is more relevant to our purpose, and was as follows: "Whether you did not give a parwana to Ballaki Das, assuring him that he might carry on his business with confidence? And, on your return to Calcutta, finding this man a suitor to the Board for recovery of a sum of money lent to the

pany in 1763, in a time of distress, which surely entitled him [illegible] Company's favour and protection, whether your Lordship [did] not send a chobdar to order him to quit the settlement, [whe]n it was known that the harpies and spies of Mahomed Reza [Kha]n and Jagat Seth his known enemies, were hovering [abo]ut to seize him the moment he quitted Calcutta? Whether [afte]r thus turning out a man under the Board's protection, you [did] not, in a few days send for him back? Whether you have [not] since received him with favour? And whether you have [no]t been endeavouring to collect from this man information [a]gainst me?" To this Clive replied as follows:—"I did write a [p]arwana to Ballabh Das, in answer to a letter from him, [in t]he beginning of July last; but when I heard, from Jagat Seth [w]hat an enemy he had been to their fathers (sic) I forbade him [t]o come into my presence, and upon my arrival ordered him to [q]uit Calcutta. But upon Mr. Gray's minute, I ordered Ballabh Das back again, to give the evidence I had before been informed of concerning Ram Nath's conduct, in which Mr. Gray seems to be strongly interested; and I shall certainly not decline to receive complaints of such grievances as affect the honour or advantage of the Company; nor will there be any occasion, as Mr. Gray alleges there will, to make use of force or threats to obtain them. With regard to harpies and spies being employed to seize Ballabh Das when he quitted Calcutta, I have never knew nor heard of any. I have given Ballabh Das no encouragement; so far from it I have told him that when he has given his evidence on oath he must not expect the liberty of residing in Calcutta." I suppose that the allusion to Ballabh's behaviour to the Seths must refer to an story that he was concerned in the murders of the father and uncle of Jagat Seth at Bahr. Though Ballabh also was called a Seth there was no relationship, and probably no friendship between them. Ballabh was an upc[ountry]man, and a Vaisya, and the Seths were Bengalis, I believe, and according to [illegible] weavers by caste.

Gray rejoined to Clive's reply as follows:—

"The affair of Ballabh Das [illegible]

[illegible]

would be beneficial to the country to give Ballaki Das, and every other merchant who might be in the same circumstances, encouragement to resettle in these provinces, from a motive of real humanity as well as from a political view, that gentleman granted him a parwana to return. I sent the parwana, and a letter of my own, under care of Ramnath, together with Sham Lal, who only knew the place of retreat before. It occurred to me, that Ballaki Das had wrote, but now I recollect, that having asked if Sham Lal had brought any letter from Ballaki Das, I was informed Ballaki Das was afraid to write, lest his letter. falling into the hands of improper people, might discover his retreat and ruin him ; and therefore he preferred the verbal application of his gomastah. Be that as it will, Ramnath and Sham Lal went up, and what occurred amongst them after their departure I know nothing of ; but at last they returned with Ballaki Das, who, on his arrival, expressed very great satisfaction in the protection and favour he had received ; and sometime after he offered me a present, which I had no intention of profiting by, to the truth of which I can bring undeniable evidence."

"Ballaki Das had obtained a parwana from Lord Clive, of which I present a copy, and desire it may be translated and annexed. This, as well as Mr. Spencer's parwana, was sufficient sanction for him to remain here in security. He accordingly lived in the place openly, and made an application to the board for payment of a sum of money* borrowed from him at Dacca ; and no objections were ever started to his residing at Calcutta, until the return of Lord Clive, who, notwithstanding the circumstance of his own parwana, and Ballaki Das' application to the Board, sent his chubdar with orders to turn him out of our settlement and protection. Ballaki Das, in the utmost distress and apprehension of his life, should he fall into the hands of Jagat Seth, his mortal enemy, now so much in power, or of Mahomed Reza Khan, a great number of whose spies were lying in wait for him, sent to inform me of his situation, and begged I would save his life and honour. I was shocked at this transaction, and sympathizing with the distresses of a man to whom I had promised assistance, I thought it my duty to give him shelter in one of the pergunnahs under my charge. He remained in this retreat, till after I had desired Lord Clive to lay before the Board the informations he had received touching my conduct ; when his Lordship in diligent search for charges against me, having discovered Ballaki Das' retreat, sent for him to town, received him into favour, and demanded a relation from him of all that had passed between him and me."

"I remember something of Ramnath or Sham Lal's mentioning the great obligation Ballaki Das would lay under to me, if I could assist him ; and that he would not fail to acknowledge it by a considerable present ; to which I answered, it is very well, I shall be glad effectually to assist Ballaki Das, and then it will be time enough to think of a present, or words to that import. But by this I never intended to imply or authorize a bargain for myself ; and my subsequent refusal of an offer actually tendered to me by Ballaki Das himself, should put the matter beyond a doubt."

"I must take this occasion to represent to the Board, that I have been informed Lord Clive makes a practice of sending for people produced as evidence against me ; and that he, or his munshi, (Naba Krishna) holds private conversations with them touching their informations."

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* *Not of Bolts.* – "No less than 230,000 rupis, which he lent the Company in their distress in 1,763. Not being able to procure justice in Bengal, Ballaki Das was reduced to the necessity of sending an agent to England, to solicit payment from the Directors, who at last gave orders to their President and Council to pay off his demand, See letter H., numbers III. to VII. But Ballaki Das did not touch the whole amount."

It will be seen from this extract that Ballabh was carried up-country with Mir Qasim when he fled after the battle of Baxar but that he afterwards separated from him. It would appear (1028) that Benares was the place where he was in hiding, and whence he was brought down by Sham Lal and Ramnath. Ballabh first got permission to return to Bengal from Mr Spencer the predecessor of Clive, but it is probable that he did not come down till July 1765 when Clive wrote to him as follows: 'Set your mind perfectly at ease, carry on your business without fear and look upon me to be well disposed towards you.' It is just possible that Sham Lal was identical with Sham Bagchi the servant of Hazari Mal and formerly master of Madhab Rai, one of the witnesses to the forged bond. And I think it very likely that Ramnath was none other than the man whom Mohan Prasad suborned to give evidence at the trial for forgery and who did give evidence before Lemaistre and Hyde at the commitment on 6th May, but who afterwards recanted and so was not examined by the prosecution at the trial but was called by the defence. (Possibly, however, even his evidence on 6th May was against the case for the prosecution.*) At all events both men were called Ramnath Das and were residents of Malda.

Ramnath the banyan of Mr Gray was, according to Verelst and Clive, a man of very bad character, who had committed great atrocities on the people of Malda. He was however, very badly used in his turn being kept in confinement in Calcutta and Murshidabad and subjected to extortion at the hands of Raja Naba Krishna Clive's munshi. This Naba Krishna was a witness in the forgery case and the Chief Justice and Sir J. Stephen seem to have been much impressed by his testimony, and especially by his unwillingness to depose against Nanda Kumar. Perhaps they would have given less weight to his testimony, if they had known his moral character as shown in Bolts's work and that he was on bad terms with Nanda Kumar on account of the latter's having taken part in prosecuting him on a charge of having violated a brahman's wife. A Hindu who could be accused of such a charge, was not likely to be very scrupulous about giving evidence against a brahman. If the charge was true he was a scoundrel, and if it was false he could not have much reverence for brahmans or for Nanda Kumar, when he knew that the latter had joined with another brahman to bring an odious charge against himself.

Of course Gray got the worst of it in his quarrel with Clive and he had to resign the service. His last words about Ballabh Das are in a letter dated February [illegible], 176[illegible] in which he says

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* He was threatened [illegible] was because he deviated somewhat from what he said on 6th May [illegible]

that Ballaki was always grateful to him for the assistance he afforded him in his distress, and would never have given any information to his (Gray's) prejudice had he not been compelled to do so.

When Ballaki first came to Calcutta he put up in the house of Hazari Mal in the Bara Bazar. This Hazari was a well-known merchant and a brother-in-law of the famous Amichand. It was while living in his house that Ballaki was said to have executed the bond which was the foundation of the charge of forgery. For a copy of the translation of this bond I beg to refer my readers to the report of the trial or to the "Story of Nuncomar." I shall discuss the question of the genuineness of the bond more fully hereafter; meanwhile I have to point out that Sir J. Stephen's remarks (I, 125 and especially the note) lead me to doubt his having perused the bond with attention. He expounds the law about depositaries, and observes that Ballaki must have considered it very hard to be called upon to make good the misdeeds of the people who plundered his house at a time of confusion. But the bond does not say that the jewels were simply deposited. They were placed with Ballaki to be sold; and as this was done more than seven years before, (June 1758) Nanda Kumar might reasonably say that Ballaki should have sold them, and that if he chose to keep them for seven years and two months and then lose them, he was bound to make the loss good. Besides this may have been only Ballaki's way of accounting for the disappearance of the jewels. He may really have sold them or otherwise disposed of them, and then ascribed his not having them to the troubles of 1764.* The bond recites that Ballaki's house at Murshidabad was plundered at the time of the defeat of Mir Qasim, and that the jewels were taken away then. This excuse seems a bad one, and I do not wonder at Nanda Kumar's refusing to accept it and insisting on a bond. Ballaki is said to have told Nanda Kumar that his houses had been plundered, both at Dacca and at Murshidabad, and that the Company owed him a great deal of money, and that he could not pay then. It seems to me very likely that what Ballaki called plundering was the taking possession of his house and money by the Government. He was with Mir Qasim's army, and therefore liable to be treated as a rebel. It may have been in this way that over two lakhs of his money came into the hands of the Company.

* Sir E. Impey suggested this to the jury, and I think it was a reasonable remark, though I cannot agree with Sir J. Stephen in thinking it not an obvious one. I am sure that it was one of the first which would have occurred to a native mukhtar who was defending Nanda Kumar, or to a Civilian Judge who was trying him.

Sir J. Stephen is mistaken in supposing that the money was in bonds. There is nothing about bonds in any of Ballaki's documents; they are not mentioned in the jewels-bond, nor in the letter Ex. I., nor in the power of attorney, nor in the will, and the fact is, as Captain Price tells us, they were not in existence until the money was paid to Ganga Vishnu. The fact that there were no bonds would increase the difficulty of Ballaki's getting his money, and we know that he never did get it. He tried to do so for about four years, but it was not till the year after his death, and when Verelst was going home, that the money was paid. The long delay, and the fact that Ballaki spoke in his power of attorney of darbar expenses as being necessary, would be sufficient to show the falsehood of Mohan Prasad's assertion that the bonds were obtained without expense, if indeed this story were not too absurd in itself for credence.

If the defeat of Mir Qasim's army referred to in the bond, be the battle of Baxar, I do not see any connection between that event and that the plunder of Ballaki's house in Murshidabad. Any fighting and plundering which took place at Murshidaba seems to have occurred in July 1763, i.e., fifteen months befo the battle of Baxar. The hearsay statement of Kista Jib about plundering cannot be relied on. Nanda Kumar's w nesses, Jai Deb, Chaitanya Nath and Yar Mahomed did not that Ballaki made any reference to the jewels. The only ness who referred to them was Lalla Doman Singh, and he the conversation took place before the attesting witnesses arr It ought to be remembered that Nanda Kumar was no first person to speak about darbar expenses. Not onl these mentioned in Ballaki's power of attorney, but M Prasad himself tells us (p. 5) that Padma Mohan to him about such expenses before he saw Nanda Kuma "mentioned some circumstances concerning Gokal Gho Naba Krishna;" and he said "you must prepare a jewel a the gentlemen will pay you your money." Now we kn Chittagong,* knows, what sort of a man Gokal was, and it is not to be believed that he or his maste or Naba Krishna, who was another of Verelst's banya allow money to pass through their hands without le on it. Compare the curious remark in Bolts' nar narrative: "Ballaki did not touch the whole amou third volume was published in 1775. His mean that Ballaki died before he got the money, or that d es were deducted. Possibly he is referring to N and the civil suit against him.

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* [illegible]

We learn from the following letters of the Court of Directors the real nature of Ballaki's claim. These letters are so honourable to the Court, and it is so refreshing to come across instances of fair dealing at this time, that I have much pleasure in quoting them in full. They are to be found in Bolts' work. Ballaki, in despair, had sent a power of attorney to Bolts in England, and he applied to the Court, who in turn showed him that proper orders had already been passed.

Appendix to considerations on India affairs. Part II, Vol. III, p. 581 (Bolts, 1775.)

Copy of the 84th Paragraph of the Company's General Letter to Bengal. Dated the 21st November 1766.

"On your consultation, 12th August 1765, appears a demand of Ballaki Das, for payment of 230,000 rupis, lent the Company shortly after the breaking out of the war with Mir Qasim, and which sum, you represent, had been passed to the credit of Mir Jafar, on appearance of its having been the property of Mir Qasim; and agree, that the President shall apply to the Naib Subahdar, to obtain him recovery thereof. But as we cannot trace any farther steps in this affair, you are to inform us of the issue; or if no such application was made, you must assign your reasons for it, as it does not appear to us you had sufficient grounds to believe the money to have been Mir Qasim's property.'

Copy of the 119th Para. Dated the 11th November 1768:

"Notwithstanding we gave directions for your making a particular inquiry into the demand of Ballaki Das, we have received no farther information thereon, and can trace no other steps taken in the affair than your resolution to make such an inquiry. Such extraordinary remissness in an affair of this consequence cannot fail to be very displeasing to us; more especially as it prevents our giving a satisfactory answer to his attorney, Mr. Miguel Van Colster, who is come to England to solicit the payment of the money. We therefore positively repeat our orders for making the most circumstantial examination into this affair, and reporting the result thereof to us by the earliest opportunity. Copy of Mr. Van Colster's memorial to us goes in this ship's packet, together with his draft on Ballaki Das for £100 which we have advanced Mr. Van Colster for his subsistence in England."

Copy of the 77th Para. Dated the 17th March 1769:

"Since we wrote you on the 11th November last, Paragraph 119, regarding the demand of Ballaki Das, having received another memorial from his agent, Mr. Van Colster thereon, we send inclosed a copy thereof and farther direct, that you immediately set about a very particular examination whether the money lent the Company by Ballaki Das, as mentioned in our letter of the 20th November 1766, Paragraph 84, was actually his property or not; for this purpose you must apply to all such persons as you think can give any insight into this matter, and in particular to the Officers of the Government at Dacca, and to Mahommed Reza Khan, who, we suppose, held a principal post in that Government at the period when the loan was made. Upon the whole, you are to do strict justice betwixt him and the Company in this affair; and enter your proceedings thereon on your records for our information. We have lent Mr. Van Colster the farther sum of £500 to defray the expenses he has incurred in England, and charges of his passage to India; for which he has given bills on Ballaki Das, which are inclosed in the packet herewith."

Sir J. Stephen has been led into several mistakes by thinking that the money which Ballaki sought to recover was in

bonds He observes (1,126) 'There is something suspiciously complete in the whole document,' *i. e.*, the jewels bond "Why was it necessary to enter into such a long story in order to explain what the bond treats as an absolute liability?" Besides the promise to pay, "when I shall receive back the sum of two lakhs of rupis and a little above which is in the Company's cash at Dacca looks as if a foundation were being laid for the demand being made on the payment of the Company's bonds at Belvedere through the intervention as was said, of Nanda Kumar Probably something of this sort was in the mind of Mohan Prasad when in answer to a question as to the time when he was so far certain of the forgery as to prosecute he said 'when I saw the amount of jewels the name of Rogonath (the alleged depositor as to whom no account was given,) and the mention of plunder, I knew it was forged and from the nature of the bond which is not regular in itself being conditional bonds are not commonly made out so when money is received Probably Sir J Stephen has not seen many bonds executed by natives of India, I can assure him that what he regards as a long and unnecessary story is just what a native would be likely to put into a genuine bond It might, however have occurred to him that if the bond were a forgery the forger would probably be so far an adept at his trade as to insert only what was usual What Mohan Prasad meant by saying that bonds were not commonly made out conditionally when money was received it is difficult to say The observation was irrelevant here for no money was received when the bond was executed

Sir J Stephen's remark concerning the laying of a foundation for the money being demanded when the Company's bonds were paid is very curious I have no doubt that in one sense such a foundation was being laid but it was a good honest foundation and Nanda Kumar and Bulaki [illegible] The quotations which I have above made from the Court of Directors despatches show, that the money had been lent at Dacca for they particularly enjoin the [illegible] the officers of the Dacca Government [illegible] Bulaki [illegible] of January 1769 (911) [illegible]

[illegible]

[illegible]

he may have laid hold of Ballaki's property at Dacca, as soon as the breaking out of the war, and Ballaki's absence with Mir Qasim gave him an opportunity and an excuse for doing so. I have not yet seen the consulation of 12th August 1765, but I can hardly believe that the money was lent to the Company in the ordinary way of business. Ballaki seems to have been with Mir Qasim when the war broke out, and therefore he could hardly have been at Dacca, and have lent the money there to the Company shortly after the breaking out of the war. And if he had done so, he surely would never have ventured afterwards into Mir Qasim's camp, or have escaped being put to death by that jealous prince. Besides, it is hardly credible that the Company would first borrow the money from Ballaki, and then turn round on him and say that the money was not his! For all these reasons, I am of opinion that the money was taken as a benevolence, or forced contribution, and under circumstances which might well be designated by Ballaki as plundering. If so, that is, if the plundering was by constituted authority, and not by a mob, or by the soldiery, I see nothing hard or improbable in Ballaki's consenting to repay Nanda Kumar when he got his own again. I shall hereafter show that he himself called upon one Mir Ashraf to restore a boat and other things which he had deposited with him during the troubles.

It is important to notice the date of the Bengal consultation. It was 2th August 1765, and therefore just eight days before the execution of the jewels-bond. At that time Lord Clive was Governor, and Nanda Kumar was a man who, at one time at least, had influence with him. Clive had upheld Nanda Kumar in old times against Hastings, and both men were supporters of Mir Jafar, and vexed at his supersession by Mir Qasim. The scurrilous life of Nanda Kumar published by Sir James Stephen tells us that Clive was at one time so partial to Nanda Kumar that the people called him the black Colonel. It is true that the life goes on to say that Clive found Nanda Kumar out, and would not employ him, but it also says that he was protected by Naba Krishna, that is, Clive's munshi. I think therefore that we may hold that Nanda Kumar had influence with Clive in 1765, and that Ballaki may have considered him as a likely man to procure him payment of his money. Nanda Kumar's influence seems to have continued throughout Verelst's government, for he often went to Belvedere, and I find from Bolts, (Vol. I, app. 57) that in 1768, or 1769, Verelst reversed two decisions of the Mayor's Court against Nanda Kumar, and decreed the cases in his favour.

Ballaki lived, as has been said, for some time in Hazari Mal's house in Bara Bazar, then occupied another in the same Bazar nd east of Mohan Prasad's, and eventually put up in Mohan

notice: one is the allusion to darbar expenses already referred to by me; the other is the mention of a saraf named Raghu Nath Deo. This may possibly be the Raghu Nath referred to in the bond of 1765. Sir J. Stephen says that no account was given of Raghu Nath. (I, 126.) I think it was for the prosecution to disprove his existence; but I gather from the mention of his name in the power, and from Mohan Prasad's question to Kista Jiban about Raghu s books (957) that there was no doubt that such a man existed. In the power of attorney there is the entry on the credit side, "the English Company at the Dacca Factory." No amount is given, which shows the hurried way in which the paper must have been drawn up, but it is clear that this must refer to the two lakhs and upwards which had been borrowed, or taken from Ballaki. After the list of debits and credits there occur the following words, "the bond of Mir Ashraf* was sold to Mr. Bolts; the bond of the Court of Kachahri, as well as the Kararnama, or written agreement, which he gave in the name of Mohan Prasad. He took the seal (?) In the name of Mr. Sparks the wakil; upon it Mr. Sparks filed a complaint in the Adalat; you will appear, and answer about it." This is an interesting passage as it shows Ballaki's connection with Bolts, and may explain how he afterwards came to employ him in trying to get payment of his dues from the Court of Directors. In a letter, Exhibit L, which Ballaki wrote some months afterwards, he speaks of his being unjustly oppressed. It is not improbable that this may refer to some trouble he got into from his connection with Bolts. The power was executed in January 1769, and in the September previous Bolts had been forcibly sent to England.

Mir Ashraf lived temporarily at least in Hugli, and owed money to Ballaki, who employed Mr. Gray to get payment of the debt. Gray wrote two letters to Mir Ashraf which are published in Bolts's work, (II, 86) and it is amusing to find from them that Ballaki was demanding from Ashraf property which he had deposited with him at the time of the war with Mir Qasim. Mr. Gray writes "I am informed by Seth Ballaki Das, that he lent you a small sum of money when you were in want; that moreover, during the troubles of Mir Mahomed Qasim, he lodged a bajra boat, and some other goods in your

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* Can this Mir Ashraf be the man referred to in Mr. Vansittart's letter of March 16th, 1765, (Price's letters, 48,) as having discovered to Government Nanda Kumar's treasonable correspondence with Rajah Balwant Singh of Benares? There is a Cummar-ul-deen mentioned in this letter as the Munshi of Sir Robert Fletcher. Could this be our friend Commaul? If so, it would dispose of his story, that his old name was Mahomed Commaul. However, Cummar (Qamar) ought not to be the same name as Commaul (Kamil).

[illegible] repaid the money, or given
hands, and that you have not yet repaid the money, or given [illegible] the effect
ordered the bajra and goods." The second letter was to the effect that as Ashraf had come to see Mr Law, he might as well come and see Ballaki face to face. These letters seem to show that Ballaki had no scruples about demanding back property which had been deposited in the time of the troubles though [illegible] Sir James thinks this so harsh and unusual when done by Nanda Kumar. Sparks sued Mr Ashraf on his bond in the Mayor's Court, and then a tempest arose because Bolts's enemies said that he was the real purchaser and that he, an Alderman of the Court, trafficked in cases which came before him. On February 15th, 1769 Sparks wrote to Bolts "Your good friends of the Council and some of your right worshipful brethren began first with me, about the purchasing Ballaki Das' bond, but as there happened a pretty full bench at the discussing that point a letter was wrote by order of the Court, that they could find no impropriety in said purchase. However there wanted not some who thought and still do think you the real purchaser, [illegible] that I only lent you my name, and from these ill grounded suspicions they would endeavour to taint your integrity as a judge of that bench, by insinuating that you bought up suits at the determination of which you intended to sit, a judge in your own cause, and from thence they pretended to reconcile the necessity and reasonableness of your disgrace, in being expelled the Bench, thereby searching for a cause after having inflicted the punishment." It will be seen that if the statement in Ballaki's power of attorney was correct, Bolts was the real purchaser. I conjecture that Ballaki sold the bond to enable its being sued [illegible] the Mayor's Court, as suits entirely between Natives were not cognizable there.

According to Sparks' Verelst [illegible] Mr Ashraf [illegible] for damages [illegible] [illegible] bond [illegible] exhibit Q (1036) there is an [illegible] to Mr Sparks [illegible] to [illegible] Calcutta (Van [illegible]) [illegible] Mayor's Court acc[illegible] of a decree in the Mayor's Court [illegible] Ballaki ever [illegible] Benares [illegible]
[illegible] he may have been a [illegible] back [illegible]
At all events [illegible] He was [illegible] Calcutta in May 17[illegible] [illegible] Nanda Kumar [illegible]

Exhibit L (H[illegible])

Maharaja [illegible] Nanda Kumar [illegible] Calcutta [illegible] Ballaki Das [illegible]
[illegible] May G [illegible]

be joyful. I myself am, by your favour, in health ; you have written a Persian letter, which has arrived ; by the reading of which I have been rendered joyful and contented. You have written that till the Governor shall come, you wish me to stay at Chinsurah. Accounts are received that the Governor will shortly arrive. I have, according to your desire, remained here. The Governor arriving, as business will quickly be done, you will do ; I have hopes in you.

You will hear other circumstances where you are ; I am unjustly oppressed ; you are the master. What else shall I write ? You have written about Dharam Chand ; therefore he and I acquittal have settled, which you know ; besides this, nothing respecting state is unknown to you ; accordingly you have told, and what you say, I pay great attention. The Company's money being received, out of it rupis two thousand, out of that self* will give. I am not disobedient to your orders. At this time from the side of expense much trouble is ; therefore Rs. 500 you bestow upon me ; then I will give it with the rest. Business quickly will be done there first will give. Brother Padma Mohan is going ; you will be acquainted with other circumstances by him ; you are a master of everything. At this time you have considered everything, and who, except yourself, will do it ? What other representation shall I write ? There is no more.

In the year 1826. In Jeth the 26th Tuesday (6th June 1769.)

(Signature) BALLAKI DAS.

"You are my master ; it is necessary you should make inquiries about me at this time The circumstance above written, you will make yourself acquainted with."

This letter shows that Ballaki regarded the Maharajah with great respect and looked up to him as his patron. It shows, too, his poverty, and how impossible it thus was that he could pay off the bond unless he got paid by the Company. The letter is also evidence that Ballaki understood Persian, and, indeed, it is almost impossible that he could have carried on his business as army pay-master, &c., without a colloquial knowledge of Persian. It would seem from some remarks on the trial, that the Judges thought there was greater difference between Persian and Hindustani (Moors) than there really is. The reference in the letter to the coming of the Governor, must relate to the expected return of Verelst from Murshidabad. We know from a letter in Verelst's "View" (p. 97,) that he

*Mr. Elliot explained that Mr. Farrer insisted on his translating the document literally, and that he therefore put "self" here, instead of *yourself.*

d gone up on 6th April 1769 to the city, as Murshidabad was en called, to confer with Mahomed Raza Khan about the venue collections. From another letter written by Verelst n the previous day, and therefore just before setting out, it would seem that he intended to hold the Punya at Murshidabad (p 120)

I presume that the plan between Nanda Kumar and Ballaki was, that the latter should come to Calcutta, and try to get his money as soon as Verelst returned I do not know whether it was before or after this that Ballaki did, apparently, see Verelst and present him a petition, which, however, did not bring him any satisfaction (Bolts, App II, 579)

Ballaki came to Calcutta in the beginning of the next month, but so ill that he soon died Kista Jiban gives us an account of his last days "He arrived the first day of Ashar, six or seven years ago He was very sick. Maharajah came to his house to see him about three or four days after his arrival. Ballaki's wife and daughter, Padma Mohan Das and many other people, and I likewise, was there. Ballaki Das said to Maharajah, here is my wife and daughter and Padma Mohan Das, I recommend them to your care, and I wish you to behave to them, as you have behaved to me. Padma Mohan Das has the management of all my business of whatever nature, I recommend him to you" I think that it will be admitted that if Nanda Kumar, after receiving this trust, robbed the widow and her daughter by forging a bond and charging Rs. 60 000 for darbar expenses when in fact nothing was paid, he committed a very base and cruel fraud Impey did refer to this as making the forgery improbable but I do not think that he gave sufficient weight to it. The fraud had the effect of depriving the family of about a lakh and thirty thousand rupis, and left them apparently with only sixty thousand rupi to divide among them. If it was a fraud, it was quite a horrid and diabolical as Mohan Prasad's prosecution wa supposing that he knew of the kararnama. It increases th improbability when we find Syed Gholam Husein (Stephen, 1,26 allowing that Nanda Kumar was a faithful friend. It r be remembered too that Hastings, in his minute of 26th J 1772, singled out the quality of fidelity, (in this case it was Nanda Kumar to his master Mir Jafar,) as a praiseworthy characteristic of Nanda Kumar*

* [illegible]

In June 1769, and only a few days after his arrival in Calcutta, Ballaki had made his will (955.) In it he desired that after the money due to him by the Company was received, his debts should be paid agreeably to accounts, and then the remainder be divided into sixteen parts, of which nine were to be given for religious purposes. The other seven annas were to be distributed as follows: four annas to his widow, half an anna to each of his nephews, Ganga Vishnu, and Hingu Lal, a quarter anna to each of his three daughters, and the one and a quarter anna remaining to his brother Sham Das. The mode of division resembles that of the Mahomedan law, and suggests that the will had been drawn up under the influence of Mahomedan ideas It has often been said that the Hindus got the notion of a will from the English, but it is more likely that they got it from the Mahomedans. The latter have always had the institution as part of their law, though the legacies can only affect one-third of the estate.

The will recites that the testator, at the request of his wife, made the two nephews his trustees. But the management of all the business, of debts, and dues, books and papers, was left to Padma Mohan.

Sir James Stephen can hardly have read the will with attention, for he says that Ballaki left Padma Mohan a quarter of his property. This would have been singular, for Padma Mohan was not related to Ballaki, and the latter had, as we see, a widow and three children. What was left to Padma Mohan was ten per cent. on the Company's money, and 25 per cent. on the other outstandings. The legacy of ten per cent. is very important, for it shows that if Padma Mohan fraudulently allowed Nanda Kumar to retain eight of the Company's bonds, he injured himself very considerably. The value of the Company's bonds retained by Nanda Kumar was Rs. 1,43,435, so that Padma Mohan's commission would have been Rs. 14,343-8. The sum which, according to Mohan Prasad, was unjustly appropriated by Nanda Kumar, was Rs. 129,630-7, being Rs. 60,000 as darbar expenses, and Rs. 69,630-7 on account of the forged bond. According, however, to the account settled between Padma Mohan and Mohan Prasad on the one side, and Nanda Kumar on the other (exhibit M,) the amount of the bond and the darbar expenses was Rs. 126,320-7. If we take the figures 129,630-7, and they are those which Padma Mohan made Kista Jiban enter in the books, Padma Mohan's loss on the fraud was Rs. 12,963. It is difficult to believe that it could have been to Padma Mohan's interest to join Nanda Kumar in committing a fraud which directly deprived him of about Rs. 13,000. It cannot be believed that the item of darbar expenses was wholly unjust. Ballaki anticipated in his power of attorney that such charges would have to be paid, and I feel quite sure that the men who had so

in the report of the trial Kista Jiban
... in Assam, but this must be
... the will was granted on 8th Septem
... to 25th Bhadra. Mohan Persad's
death was in Asarh, the late of the
... which corresponds to Friday, 23rd
... afterwards, and probably in De-
... Ganga Vishnu and Nanda Kumar
the Company's bonds. Probably there
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... Van Colster had only recently
letter. Probate was, as we have seen,
... It had been given to Ganga
... and Bulaki's nephew.
I (1025) if he knew anything about
... by means of Nanda Kumar, and
... always to attend at Mr Verelst's
Kumar, when the Governor was going
Belvedere, Padma Mohan went with
... to wait upon him, and occasioned
... be paid to Ganga Vishnu ... Kista
... at Belvedere but he saw Ganga Vishnu
... and was told by them that they were
... that the Maharajah had called them
... "The payment of the money had
they went to get the Company's bonds,
... Ganga Vishnu said the Governor was
... they certainly should get the Com-
... their return they brought the bonds,
... the widow of Bulaki Das, a few days
... away ... These remarks enable us to
... the time when the bonds were
... Verelst's work (appendix, p. 125)
... last minute on 16th December 1769, and
Government on the 24th ...
been brought to Bulaki's widow she
should be given to Maharajah Nanda
... that they had been ...
... says Kista Jiban ... "I heard
... she said she had been very ...
... afterwards ...
... Bulaki ...
... Mohan Persad says what ... was
... to the value of about two
... Kista Jiban
... was ...

knew of the kararnama, the prosecution was most horrid and diabolical, and that Mohan Prasad was guilty of a crime more horrid than murder. Further on he told the jury that if the defence was true, it fixed an indelible mark of infamy on the prosecutor. Surely this was unfair to the prisoner, especially as Sir E. Impey went on to advise the jury to rely on their private knowledge of Mohan Prasad, that is, I suppose, on the gossip of Calcutta, such as that picked up by Captain Price for instance, and so to determine if it was probable that Mohan Prasad would, through malice, or any other corrupt motive, accuse an innocent person of a capital crime. This was not the only place in the charge where the Chief Justice encouraged the jury to rely on matters not in evidence. Thus he told them that Kamaladdin's evidence was supported by Khwaja Petruse, "whose character you all know."

Sir J. Stephen says that there is not a word in the summing up of which he should have been ashamed, if he had said it himself, and so I suppose he endorses all these appeals to private knowledge which seem to me so extraordinary. He also says that all his study of the case has not suggested to him a single observation in Nanda Kumar's favour which is not noticed by Impey. Did the improbability of Padma Mohan's robbing his master's family not occur to Sir J. Stephen, and does the Chief Justice notice this? Besides, Impey's declamatory and prejudicial remark about the defence, if true, fixing an indelible mark of infamy on Mohan Prasad was untrue.* That part of it which referred to his knowledge of the kararnama might do so, though even there, there is room for the supposition, and it is a supposition argued for by Sir J. Stephen himself, that the karamama was a forgery by Padma Mohan. But why should the defence, namely, that the bond was genuine, fix an indelible mark of infamy on Mohan Prasad? The witnesses to the bond did not say that Mohan Prasad saw the execution of the bond, and so if Nanda Kumar had been acquitted, Mohan Prasad could still have said that he, in good faith, believed the bond to be a forgery. Moreover the acquittal would not have necessarily carried with it the conclusion that the bond was true, though the conviction required that it should be proved false. It was enough for an acquittal that the forgrey had not been proved.

The will was made on June 12th, 1769, corresponding apparently to 1st Asarh 1176 B. S., and Ballaki died a

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* To me it seems that Charles Fox' remarks (Stephen I, 159) on this part of the charge are quite justified, and that Sir J. Stephen, in calling them shamefully unjust, has only added another volley of abuse to that which he has discharged on every one who does not admire his ugly idol—Sir E. Impey.

few days afterwards. In the report of the trial Kista Jiban is made to say that he died in Assam, but this must be a misprint, for probate of the will was granted on 8th September 1769, which corresponds to 25th Bhadra. Mohan Prasad's evidence also shows that the death was in Asarh, the date of the death is given as 11th Asarh, which corresponds to Friday, 23rd June 1769. About five months afterwards, and probably in December 1769, Padma Mohan Ganga Vishnu and Nanda Kumar went to Belvedere to get the Company's bonds. Probably there had been delay owing to the necessity for getting probate, and I suspect, too, that Mr Miguel Van Colster had only recently arrived with the Court's letter. Probate was, as we have seen, granted on 8th September. It had been given to Ganga Vishnu one of the trustees and Bulaki's nephew.

Kista Jiban was asked (1025) if he knew anything about the money being recovered by means of Nanda Kumar, and he said "Padma Mohan used always to attend at Mr Verelst's with Maharajah Nanda Kumar, when the Governor was going to Europe, he was at Belvedere, Padma Mohan went with Maharajah Nanda Kumar to wait upon him, and occasioned the Company's bonds to be paid to Ganga Vishnu." Kista Jiban was not present at Belvedere but he saw Ganga Vishnu and Padma Mohan start and was told by them that they were going to Belvedere and that the Maharajah had called them to go along with him. "The payment of the money had been daily expected; they went to get the Company's bonds, Padma Mohan Das and Ganga Vishnu said the Governor was going in a few days, and they certainly should get the Company's bonds. Upon their return, they brought the bonds, and carried them to the widow of Bulaki Das, a few days after the Governor went away." These remarks enable us to fix with sufficient accuracy the time when the bonds were paid, for we know from Verelst's work (appendix, p. 123) that he delivered his last minute on 16th December 1769, and that he resigned the Government on the 24th idem.

The bonds having been brought to Bulaki's wife she desired that they should be taken to Maharajah Nanda Kumar, because she said that they had been obtained by his means. "I was present," says Kista Jiban at 1025, "I heard her with my own ears she said he had been very good to her and had shown great attention to her; she [illegible] I have [illegible] with him, she would afterwards [illegible] of the house." Now I ask, if Bulaki only owed Rs [illegible] to Nanda Kumar, as Mohan Prasad says, what occasion was there for the widow [illegible] lakhs of rupees [illegible] Kista Jiban says that an account was [illegible]

Padma Mohan delivered it to Ganga Vishnu. It was written out by the witness and in the widow's presence. One Dharam Chand (see Ex. M) desired the widow to make herself mistress of the business of the accounts in question. No doubt this is the Dharam Chand referred to in Ballaki's letter of 26th Jeth, and also in Ex. M, to be mentioned hereafter. It was proved that the widow was at Benares and therefore beyond the jurisdiction of the Court, and upon this Mr. Farrer proposed to give parole evidence of the contents of the account. This was objected to by Lemaistre and the Court concurred with him, but yet allowed the evidence to be given in favour of the prisoner. I do not find, however, that Impey refers to the evidence in his summing up. It may be that the defence was not entitled to give parole evidence of the contents of the account, but I imagine that this could not prevent Kista Jiban's being examined as to what took place on the occasion. After all, the account was a mere *fard*, or list of debts.

Lemaistre objected that no evidence had been given of any attempt to procure the attendance of the evidence, or to get the original papers from her. But it was clear that she was a pardanishin, and it was also proved that she was residing at Benares, beyond the jurisdiction of the Supreme Court, or even of the Company's Court.

I now come to a rather thorny part of the subject, and it is necessary to proceed with great care in order to avoid mistakes.

The point is the delivery of the bonds to Nanda Kumar, and the difficulty arises from the fact that we have statements of three witnesses, Mohan Prasad, Kista Jiban and Chaitanya Nath, and that no one of them was fully examined. If we could have had Ganga Vishnu's evidence, everything might have been cleared up. Perhaps the best course will be for me to begin by quoting Sir James Stephen's account of the affair.

He tells us, (I, 109) that "probate of his (Ballaki's) will was granted to Ganga Vishnu, as executor, in the Mayor's Court at Calcutta, on the 8th September 1769. A considerable part of his property consisted of bonds of the East India Company, and about five months after his death (*i. e.*, near the end of 1769) Nanda Kumar, Ganga Vishnu and Padma Mohan Das went to Belvedere, at Alipore, close to Calcutta, to get the bonds to which Ballaki Das had been entitled. They obtained them and took them to the widow, who said that Nanda Kumar had been the means of obtaining them for her and had been very generous to her, that she would settle accounts with him first and afterwards with the other creditors of her husband. Padma Mohan Das gave her an account or statement, showing that after the payment of all the creditors, including Nanda Kumar,

a balance of 60,000 rupis would be due to her, and he mentioned on the same evening to Mohan Prasad the receipt of the bonds. The day afterwards Mohan Prasad saw Nanda Kumar, who told him that the Company's bonds were received, and there would be some "darbar expenses" on them.

There are several errors in this account. In the first place I doubt if probate was granted on 8th September 1769. The will was proved on that day, but apparently the actual grant was made some days later, for the words are "on the 8th September *last*." The executor undertook to render a true and just account on or before 24th October 1770, and as it is probable that a year was granted to him for this purpose, it is likely that the grant was made on 24th October 1769. Unfortunately, the date of the grant is not given in the heading to the document. Sir James Stephen's mistake, however, is not an important one. The next statement, *i.e.*, that a considerable part of Bulaki's property was in East India Company's bonds, is of course a mistake, and this has been already pointed out. The bonds were only the means of payment, and they were drawn for small sums, as Price tells us, to facilitate their negociation.* Then we are told that Nanda Kumar went to Belvedere with Ganga Vishnu and Padma Mohan. It is very likely that he did so, but we have no evidence for it. All we know is that Ganga Vishnu and Padma Mohan set off for Belvedere, saying that the Maharajah had sent for them, and that they came back with the bonds. The statement "they took them to the widow" is wrong so far as it relates to Nanda Kumar.

I confess I cannot be sure of what was the order of things after this, but if, as Sir James Stephen's narrative seems to imply, and as Kista Jiban's evidence (1025) would indicate, Padma Mohan drew up an account before going to Nanda Kumar with the bonds, and showed it to the widow, there arises a strong presumption in favour of the bond Exhibit A; for that account mentioned the sums due to Nanda Kumar and showed a balance due to the estate of Rs [illegible]. The bond was not referred to in it, but the Maharajah's account was [illegible]

* [illegible]

not refer to their being first taken to the widow. It is, however, clear from his deposition that there had been some talk about the large claim of the Raja, for he tells us that Padma Mohan told him on the evening that the bonds had been carried to the Maharajah. "*I then* showed Ganga Vishnu the power of attorney granted to me, *and which I had before shown to him* in order to prove to him that Rs. 10,000 only were due to Maharajah Nanda Kumar; and the day afterwards I went to the house of Maharajah Nanda Kumar." Four or five days afterwards he again went to Nanda Kumar, who told him that he and Padma Mohun had made out three papers. Finally, he, Ganga Vishnu, and Padma Mohan went to the Maharajah 14 or 15 days afterwards and received the bonds. "It was night time, the lamps were burning, and the Maharajah was sitting above stairs; we sat down by him, and the Maharajah called for his escritoire and opened it, and took out all the papers that were contained in it, and spread them before him; he cancelled (by tearing the top) a Nagari bond for Rs. 10,000, he also produced the patta* of the house, and gave the cancelled bond and the patta into the hands of Ganga Vishnu;" he likewise tore the heads of those Persian papers, and said to Ganga Vishnu, Do you take these." . . . . Then "Maharajah Nanda Kumar offered them to Ganga Vishnu who said, "Give them to Padma Mohan Das." Maharajah then looked at me sideways angrily and turning to Padma Mohan Das, said, "Do you take the papers." Padma Mohan Das took them, he and Maharajah kept counting by their memories some sums of money on their fingers, but wrote nothing down. Maharajah said, "I will take eight bonds"; having separated the other seven, he put them into the hands of Padma Mohan Das; there were originally 19 bonds; the Governor and Council took two, on account of commission due to one Michael; the other seventeen were given to Maharajah. When he gave the seven bonds to Padma Mohan Das, he said, "You have before taken two;" he answered, "I have." Maharajah said to Padma Mohan Das, indorse the eight bonds I have taken. Padma Mohan Das answered, "I will get them indorsed by Kista Jiban Das, the gomastah of Ballaki Das." Maharajah put the eight bonds into the hands of Chaitanya Nath Patdar. I, Padma Mohan Das, Ganga Vishnu, and Chaitanya Nath, (into whose hands the bonds were put) went out together and sat down in my Baithak-khana, (sitting room) Padma Mohan Das sent a man to call Kista Jiban Das; Kista Jiban arriving indorsed

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* The bond was a mortgage bond, and the lease of the house seems to have been deposited with Nanda Kumar as security (See Ex. M. post,) The bond was, I presume, the one drawn up by Mohan Prasad's brother.

the eight bonds, and Padma Mohan Das gave them to Chaitanya Nath who carried them away."

The witness was then asked if he knew anything of the receipt, Ex. F. He answered that he had been confined in the Court of Kachahri and had not seen the receipt given, but that he afterwards got a copy of it from the Mayor's Court.

This account of the delivery of the bonds and of the subsequent indorsement is not so full as that given on a later day of the trial by Chaitanya Nath, and which I shall quote further on. It seems to me that Mohan Prasad's object was to make Padma Mohan as prominent as possible, and to keep Ganga Vishnu as much in the background as he could. It was probably for this reason that he only spoke of Kista Jiban as indorsing the bonds, though it is clear that they must have stood in the name of the executor, and that Ganga Vishnu must have signed the indorsements. Both witnesses, however, agreed that the settlement was made at night, and that the indorsing took place at Mohan Prasad's house. Both agreed, too, that Kista Jiban was present on the occasion and that he wrote out the indorsements, but Chaitanya Nath added that Ganga Vishnu signed them. Though Kista Jiban was examined so many times he was unfortunately never asked about this matter or about the receipt Ex. F. As in the case of the showing of the kararnama to Mohan Prasad, he was not asked about the matter and so did not tell. But it appears to me that when the Judges saw that Mohan Prasad and Chaitanya Nath gave somewhat different accounts of the affair they should have elucidated the matter by examining Kista Jiban. It will be remembered that he was not, in the first instance, a witness for the defence.

The above account of Mohan Prasad's evidence shows that the interval between the receipt of the bonds from G[illegible] to Padma Mohan [illegible] ment and the delivery of the bond Ex. A to Mohan Prasad was about three weeks. In this time Mohan Prasad [illegible] the day after the [illegible] had three visits to Nanda Kumar, 1st, on the day after [illegible] bonds were carried from Belvedere, and 4 or 5 days afterwards [illegible] 3rd, 14 or 15 days after that.

The point to which I wish to call attention is that before even the first of these visits Mohan Prasad had [illegible] power of attorney to Ganga Vishnu [illegible] at least [illegible] Nanda Kumar [illegible] [illegible]

estate. Nor was the statement perhaps altogether consistent with Mohan Prasad's admission (943,) that there were debits and credits between Nanda Kumar and Ballaki on Ballaki's books *to a great amount.* He should have at least shown Ganga Vishnu these books and not merely the power. And here it may be remarked that these books were never made use of by the prosecution. They were brought into court on a notice from the defence, but Mr. Durham said that as they were in Nagari he could not point out the entries as to which he meant to have examined Mohan Prasad, and he therefore declined making any use of them ! It was in this light-hearted way that the prosecution and the Judges got rid of the accounts which had made Mr. Boughton Rouse and his native colleague chary of deciding the civil suit. The defendant's counsel were told they might use the books if they were able to do so, and this though the book-keeper Kista Jiban, was the prosecutor's servant, and a witness for the prosecution ! I beg to ask Sir James Stephen if this was the proper conduct for Judges who at that time professed to be counsel for prisoners, and if they should not have taken care that the books were fully understood and explained to the jury before the prisoner was condemned ?

However, Mohan Prasad did, according to his account, show Ganga Vishnu that only Rs. 10,000 were due. When then Ganga Vishnu went to Nanda Kumar's house about nineteen days afterwards he was fully aware, according to Mohan Prasad's version that only Rs. 10,000 were due, and that the claim on the jewels-bond, &c., was false. Why then did he pay it ? Why did he not object on the night when Nanda Kumar appropriated eight bonds ? Why again did he indorse on the bonds on the following morning ? It is true that Mohan Prasad does not say that this was on the following morning, but Chaitanya Nath said so, and he was not contradicted. At any rate, the indorsing took place in Mohan Prasad's house, and in the absence of Nanda Kumar. Ganga Vishnu was then surrounded by his friends and servants and not under restraint by Nanda Kumar. Why then did he endorse the eight bonds and make them over to Chaitanya Nath ? He had got the jewels-bond on the previous night, and both he and Mohan Prasad had an opportunity of seeing it before the indorsement of the eight bonds. Mohan Prasad tells us that he suspected forgery on the occasion of his second visit to the Maharajah, that is, a fortnight before Ganga Vishnu indorsed the bonds. And he became sure of the forgery when he saw that it was a jewels-bond, &c. He had also told Ganga Vishnu three weeks before the indorsing that Ballaki owed Nanda Kumar Rs. 10,000 only.

It is idle to say that Ganga Vishnu was a fool and did whatever Padma Mohan told him. The very fact that Mohan-

Prasad showed him the power of attorney proves that he did not consider him incapable of attending to business. His illness had not begun then, and he transacted all the necessary business of an executor. He took out probate, and swore to administer the estate, he went to Belvedere and got the bonds, and he indorsed eight bonds to Nanda Kumar. Yet he made no complaint till about 2½ years afterwards, when he sued in the Court of Kachahri! If he was, in January 1770, too much under Padma Mohan's influence, why did not Mohan Prasad object? He was interested, according to his account, for he was to get five per cent on what he collected for Ganga Vishnu, and he was present both at the settlement at Nanda Kumar's house and at the indorsing. He pretended that Padma Mohan and Nanda Kumar merely counted on their fingers and wrote nothing down. If there is any truth in this story it must refer to the first interview, described by Chaitanya Nath, (965) when he says that Mohan Prasad Ganga Vishnu, and Padma Mohan settled the account in conversation. Mohan Prasad ignores the second settlement, when according to Chaitanya Nath, Mohan Prasad and Padma Mohan came and signed the account. (He does not mention their names in this sentence, but he had said immediately before that the signature on Ex. M were made in his presence).

It seems to me impossible to account for the act of Ganga Vishnu and Mohan Prasad in 1770, except on the supposition that the jewels bond was genuine and that they knew it to be so.

No doubt the Michael of Mohan Prasad's deposition, (915) is a misprint for Miguel, and the person meant is Mr. Miguel Van Colster who was Ballaki's agent, and is referred to in the Directors' letters above quoted. It is probable that he returned to Calcutta with the Court's letter of 17th March 1769, and that it was this missive which made Verelst consent to pay the money. If he left England in the latter half of March, he would probably arrive in Calcutta about October. The Judges of the Supreme Court, and the three Councillors left in two ships in the beginning of April 1774, and arrived on the 19th October. The commission referred to might be partly Colster's remuneration, and partly the £100 which the Court had advanced to him in England, and for which Colster gave a bill on Ballaki, which the Court sent out in order that they might be charged against Ballaki's account.

The bonds must have been drawn out in the name of Ganga V[illegible] [illegible] executor [illegible] [illegible], and we may [illegible] that Verelst [illegible] pay the [illegible] to [illegible] [illegible] the [illegible] to the Directors, and [illegible]

...th Bulaki Das. In the Bengal year 1172, he gave me a bond ... the value thereof, for the sum of Rs 48021, and a premium ... having delivered over the said bond to Ganga Vishnu who is the nephew and manager of the business of the aforesaid Seth, he paid all together the sum of current Rupees 69630 in bonds of the English Company, which is the amount of my demand, as principal, premium and batta exchange.

Written on the 4th of Magh, in the Bengal year, 1176"

This paper enables us to know very nearly when the bonds were paid to Ganga Vishnu. The 4th Magh 1176 B S corresponds to 15th January 1770, and is the date laid in the charges as that of the uttering. It is also the date mentioned in the charges as that of forging the bond for the purpose of defrauding of Bulaki Das though Lemaistre J or whoever drew the charges, might have known that poor Bulaki was dead six months before.

Sir James Stephen does not seem to be aware that 4th Magh 1176 corresponds to 15th January 1770 for he does not mention the fact, and he writes (I, 111), that the bond was delivered with the rest to Padma Mohan Das who filed them all in the Mayor's Court, and that this was the publishing complained of. I am not sure what is meant by this. If the meaning be that the filing in the Mayor's Court was the publication, the statement is incorrect. The uttering was alleged to have taken place on 15th January 1770, and this was more than a year before the bond was filed in the Mayor's Court. I do not know where Sir James gets his authority for the statement that the bond was filed by Padma Mohan. The will was proved on 5th September 1769 and the order passed was, that the executor (Ganga Vishnu, and not Padma Mohan) should file accounts on or before 24th October 1769. The papers sent for from the Mayor's Court, (1033) show that accounts had not been filed up to 13th November 1770. The executors were then cited to produce them and to deposit the balance due to the estate in the Company's cash. The next order was of 1st October 1771, and states that it had been suggested to the Court that Padma Mohan had conveyed away several papers belonging to the estate. He was therefore ordered to deposit all papers and vouchers. It will be seen [illegible] it appears from the [illegible] of Padma Mohan, that Padma Mohan had appeared on that [illegible] part of the entry that Padma Mohan [illegible] and that either in punishment of his [illegible] ance with the usual [illegible] Mayor's Court, he had been [illegible] [illegible] Oct 1771. (The date 1774 [illegible]

The next entry is a petition by a Gosain* who was a legatee under the will, representing that Padma Mohan had lately died, and that Ganga Vishnu was incapable of taking charge of the affairs of Ballaki Das.

This petition is dated 14th January 1772, and harmonises with a statement of Kista Jiban, that Padma Mohan died 3 years and 7 months before June 1775. The 14th January was the first time that the registrar was ordered to take charge of the books and papers of Ballaki Das. It is perhaps worth while noticing here, as an instance of the curious way in which business was done in the Mayor's Court, that the Gosain's attorney and the registrar or rather register, was one and the same person, *viz.*, William Magee. The next two entries are dated 21st and 28th January 1773, but I suspect that this is a mistake for 1772, especially as the last entry has the words, the first of October last, which can only refer to 1771. We learn from these entries that the Court was still trying to get in the papers. There is also a curious account about the papers having been deposited in a room in Padma Mohan's house,—(which confirms the idea that he never placed any papers in Court) and that the room had been secured by two locks, one given to Bal Govind, and another to Padma Mohan's people. Bal Govind appeared in Court on 28th January 1772 (?), and declared that one day, when he went up to the said room, he found the door had been opened, and that his lock, together with a knot he had tied upon it, had been opened, and on going into the room, he found that the greatest part of the papers were taken away, together with some other things of value. He threatened to complain, and then Keval Ram Panda requested him to keep quiet, and to go and speak to the widow. I presume this was Padma Mohan's widow, for Ballaki's widow had gone long ago to Benares. Soon after Mohan Prasad came in, when he and the said Keval Ram Panda went near the widow, and spoke her something which he, this deponent, could not hear, as he stood at some distance from them; and soon after Mohan Prasad, and the said Keval Ram Panda came to the place where he was, and begged him not to expose her, and that she would deliver up all such papers as remained

* Gosain (go-swami, lord of cattle or perhaps lord of one's passions (Wilson) a faqir or jogi, a religious mendicant). Ballaki left by his will (967) one sixteenth of his property to the disciples of Gosainji. This may be the Gosain referred to or it may be Birju Palji to whom one thirty-second was left. Kista Jiban said (1024) that the Gosain's name was Birjya Ibisher? Ji. and Mr. Farrer in his application of January 25th, 1775, spoke of him as Bijra Seer (Sri?) Gosain, and as a legatee named in the will. It would appear from Kista Jiban's account (1023) that it was Padma Mohan and Mohan Prasad's quarrelling, and their failure to pay the Gosain his legacy, which led the latter to move the Mayor's Court.

[illegible]her possession, and accordingly the said Keval Ram Pandit [illegible]nt and dug the ground in the compound, and got some [illegible]oks and papers out of it, and delivered the same to this [illegible]ponent, which he put into a chest and locked up.

Upon this the Court ordered that notifications should be [illegible]sued calling upon persons to apply for letter of administra[illegible]on to the estate of Padma Mohan who had lately died intestate. [This also shows that the real date is January 1772 It was] further notified that if nobody applied within 14 days for letters the Court would appoint some one to take charge of the estate. This was the way in which Padma Mohan's papers came into the possession of the Mayor's Court.

The next entry is dated July 2nd 1771, but must be 1772, and is to the effect that Padma Mohan's papers should be separated from Bulaki's. There is a note by the reporter that this order was not carried out till 27th April 1773, but it is clear from 1031 that here again is a misprint, or a mistake of Elliot, for the true date is 27th April 1775.

The record of Bal Govind's complaint is important on two grounds. First, it shows that the papers of Bulaki and Padma Mohan had been tampered with, a fact which might account for the disappearance of the famous Kararnama. Further it shows that Bal Govind who, I imagine, was one of the legatees under the will and very possibly was the Gosain's disciple, might have been an important witness in the forgery trial. And we find (1039) that he was a witness, and that his name was on the back of the indictment, so that I presume he was one of the witnesses who were examined on the 6th May, and who convinced Lemaistre and Hyde that the charge was true. The prosecution, however, did not choose to call him and Farrer said that he was well acquainted with, and could give reasons why the counsel for the prosecution had not called them, Ram Nath, and Bal Govind, and that he should immediately call them. Unfortunately, however, he does not seem to have examined Bal Govind. At least there is no record of his evidence.*

The whole affair of the payment of the bond seems to have been conducted with great [illegible] and this [illegible] Ganga Vishnu [illegible] that all [illegible] it was [illegible] Nanda Kumar's [illegible] the Company's [illegible] and the [illegible] the [illegible] After this [illegible] in the presence of several [illegible] was returned [illegible] of [illegible]

* [illegible]

Chaitanya Nath went, and had the Company's bonds indorsed over to his master. Nor was this done at Nanda Kumar's house, but at Mohan Prasad's and in the presence of Mohan Prasad, Ganga Vishnu, and Padma Mohan. Finally Nanda Kumar gave a formal receipt for the money, and in this the bond, and the circumstance of the jewels were mentioned, so that Nanda Kumar could never afterwards deny that he had received the money, or that he had got it on the strength of the jewels-bond. In fact every circumstance connected with the payment of the bond indicates that it was genuine. The very facts of the bond's being for the value of jewels and of its conditional character support the view that it was genuine. I may add that the forging of a bond, and that too for not a very large sum seems alien to Nanda Kumar's character. He was a restless, intriguing, and aspiring man, but it was power he wanted more than money, and he seems not to have had the nature, or the talents required for contriving a petty fraud. He was not a secret, solitary man, or as Hastings put it, "Nanda Kumar, among whose talents for intrigue that of secrecy is not the first."*

When the bond was returned, it went immediately into the hands of persons who had an interest in finding it to be a forgery, and had every facility for doing so. Is it conceivable that if the seal of Ballaki had been forged, Mohan Prasad and others would not have found it out? Ballaki's seal must have been among his effects and there must have been many papers bearing his seal. Some people appear to imagine that as soon as the bond was returned, it was filed in the Mayor's Court, and that it remained there hidden and inaccessible till the advent of the Supreme Court.† But this is a complete mistake. The bond did not go into the Mayor's Court till years afterwards, and when it did go, it did not become unprocurable. It was not lost amid a bundle of old papers for

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* According to the Seir Matakerin he died worth 52 lakhs of rupis in money besides as much more in goods. He was not then likely to forge for the sake of little more than half a lakh. Sir E. I. referred to this in his charge, but perhaps the jurymen who seem to have been of a humble rank in life, and whose foreman John Robinson, (a private friend of Hastings, according to Price) became bankrupt or died insolvent less than five years after the trial, were not likely to appreciate the argument. Sir J. S. says that the amount was over £7000, and this would be so if current rupis were reckoned at 2*s.* 2*d.* each—otherwise it would only be £6963 (at 2*s.* per rupi). I do not object to reckoning current rupis at 2*s.* 2*d.*, but then what becomes of Sir J. S.'s calculation of Impey's salary? There he estimated sikkas as only worth 2*s.* 2*d.* (Vide ante, note ‡ page 101.) Possibly he has added in Impey's estimate of the darbar charges, which in Impey's charge are wrongly put at Rs. 6,000 instead of Rs. 60,000, but of course they had nothing to do with the bond.

† Sir J. Kaye, C. R. Selections, II, 567.

[illegible]han Prasad got a copy of it from the Mayor's Court [illegible]l says he showed it to Manohar Mitra, in 1773 (two years [illegible]o) (1047). If he could get a copy, he could certainly inspect [illegible]e original. But the fact appears to be that Mohan Prasad [illegible]ver denied that the seal was Bulaki's. What he seems to [illegible]ave said or implied, was that Nanda Kumar had by collusion [illegible]ith Padma Mohan, or otherwise, got hold of Bulaki's seal and affixed it to a false bond. This seems implied by the question at 1015: "Tell at what time you first suspected forgery of the bond *and that the seal of Bulaki Das was improperly made use of?*" And as a matter of fact no attempt was made by the prosecution at the trial to prove that the seal was a forgery. All the burden was thrown on the defence of proving that the impression was genuine, and it was because Impey thought that the defence failed to show this, and because he ignorantly rejected Mir Asad Ali's evidence, that Nanda Kumar was hanged.

It seems to me very difficult to maintain that it was not necessary to prove that the seal was a counterfeit. The charges all refer to the bonds purporting to be sealed by Bulaki Das with the seal, or chhap of the said Bulaki Das. It is true that Impey said that the prisoner was not only indicted for forging the seal, and that there was no evidence of his having done so; but this refers to there being no evidence that Nanda Kumar made the seal or the impression with his own hands. Impey thought that there was strong evidence that the seal was a forgery, *i.e.*, the proof that the receipt filed by Asad Ali was a forgery.

It seems clear at all events that the bond was not forged in 1770. The recency of the writing, and the fact that it purported to be witnessed by Silavat, who had been dead for three years, (955,) would have at once detected the forgery. If, as Sir Louis Jackson seems to think, a British Jury would be unable to know if a Persian paper was recent, and would be justified in feeling their understandings insulted by its being offered to them as of old date [illegible] have been [illegible] Mohan Prasad may [illegible] same case as Silavat, [illegible] Mohan Prasad [illegible] Persian, [illegible] And here I cannot help [illegible] the fact [illegible] extraction [illegible] Mohan Prasad [illegible] Mohan Prasad [illegible] the forgery [illegible] Mohan Prasad's story [illegible]

afterwards to please the widow. But I do not believe that he thought it a forgery then. This was an afterthought suggested by subsequent quarrels. The reasons, at least most of them, given by him for distrust are ridiculous. (1046.) He said that Silavat's name on it made him suspect, as Silavat had been dead four years. When he was asked what objection this was to Silavat's witnessing a bond in 1765, he said that a man might write a bond and antedate it. Still we see that there is no allusion to the writing's being recent. These remarks show what shifts he was put to in order to make out that he had from the first suspected the deed. The omission to say anything about the seals not being Ballaki's, or about the writing's being recent is all the more remarkable. It is worth notice that Mohan Prasad in this part of his evidence affected to speak of Kamiladdin as Mahomed Kamil,* though it is abundantly evident from the conspiracy case, etc., that every body knew him, latterly at all events, as Kamiladdin. It is clear from the remarks of Mr. Weston, the foreman of the Jury and of Mr. Elliot, that there was nothing unusual in the provision of the bond about a premium. It would appear from the foreman's remark that such a stipulation would be common where it would be a long time before the money would be paid. *It may be remembered that according to* Hindu ideas, interest could never exceed the principal.

The above remarks seem to me to disprove the suggestion made by Impey that the bond might have been forged after the payment of the debt due to Ballaki. Impey made this suggestion to get rid of the difficulty about the bond's being conditional. He also said that it might have been done to give an air of probability to the transaction, though Mohan Prasad said that it was the conditional character of the bond that made him suspect it!

But where was the time for forging the bond after the payment? The bonds were delivered apparently in the latter part of December and the bond was produced on some day before January 15th, at least according to Mohan Prasad, who said the interval was not more than three weeks. Is it likely that in some three weeks, a bond could have been forged and published which would have the appearance of having been written five years previously? If the bond was not forged

* I wonder that it did not strike Sir E. I. or Sir J. S. that if Mahomed Kamil were Kamiladdin, *it would have been easier for Nanda Kumar's* witnesses to assert that Kamiladdin had really witnessed the deed. He could hardly have contradicted them successfully about an affair of ten years before, by proving an alibi, and they had the impression of his seal to support their story. As the theory is that Nanda Kumar's witnesses were all perjurers, they could have had no scruple in swearing that Kamiladdin was a witness.

after the money was paid, is it likely that it would be forged before? Could Nanda Kumar know that Bulaki's money would eventually be paid, and would he make an elaborate forgery on speculation? If Mr. Colster had not succeeded in obtaining justice for his client the bond would have been useless, and it is evident that Bulaki had not much hope of success from Colster, for he wrote to employ Bolts and sent him a power of attorney. Bolts' letter to the Directors is dated December 6th, 1769, and I presume, therefore, that Bulaki must have written to him very shortly before his death.

If the fraud was contrived after Bulaki's money was paid, it was surely an awkward and dangerous one. If Nanda Kumar could retain Rs 60,000 on the false allegation of darbar expenses, it was hardly worth while to make a bond for Rs 70,000. It would have been just as easy, apparently, for him to assert that he had paid Rs 129,000 for darbar expenses, as he gave no voucher for the charge. In this way he could have evaded suspicion and danger; for it is well known in Bengal that persons in power never give receipts for money they have taken. When Nanda Kumar charged Hastings with taking bribes, he never pretended that Hastings had given a receipt. Especially would the higher sum as darbar expenses have afforded an easy plan if, as the case almost requires in order to be believed at all, Padma Mohan and Ganga Vishnu were parties to the plot. What necessity was there for Nanda Kumar's allowing Mohan Prasad to be present or to know anything at all? It may be said that he was Ganga Vishnu's attorney then, but he produced no such power at the trial. His power from Bulaki lapsed with the death of the latter, and at all events, its continuance depended on the pleasure of Padma Mohan Das (*vide trial, 98*).

Ganga Vishnu, I repeat, was not incapable of attending to business in 1770. His illness appears to have begun in 1773, for Mohan Prasad tells us that at the time of the trial he had been sick something above two years. He was not even quite helpless or bedridden then, for he came twice to the Court house one or two months before the trial (see Forgery, and several papers, 1033). In fact he did not become quite incapable until his services were no longer required by the prosecution, and the defence wanted to examine him as a witness. It does not appear that Mohan Prasad was his attorney in 1770. The power granted by Bulaki to Mohan Prasad lapsed, or ought to have lapsed, with Bulaki's death, and the power under which Mohan Prasad acted in the forgery case was only dated 6th May 1775, that is, the day on which the charge of forgery against Nanda Kumar was accepted by Lemaistre and Hyde. [illegible] to that there was a joint power to Mohan Prasad

and Messrs. Hamilton and Lodge. These two gentlemen withdrew upon Nanda Kumar's being committed, (935.) There was also a Nagari power of attorney which had been drawn by Mr. Driver in favour of Mohan Prasad and one John Love. The English power was drawn to Mohan Prasad singly by Mr. Driver, and was dated 6th May 1775. Now, what was the meaning of this power drawn to three persons, two of whom were Englishmen, and why did they withdraw upon Nanda Kumar's being committed? It is very unfortunate, and in my opinion, suspicious, that we have no record of the commitment proceedings. One would like very much to see the record of proceedings which lasted from 9 A.M. to 10 P.M., and which left no doubt of Nanda Kumar's guilt remaining in the breasts of either Lemaistre or Hyde. (Stephen, 1, 95.) I think that it will be admitted that after feeling in this way about the evidence, they were hardly the proper persons to preside at the trial!

I suppose that it was to execute the power of attorney of 6th May that Ganga Vishnu was brought to Court.

I can only offer suggestions about the power of attorney to Mohan Prasad, Hamilton and Lodge. It does not seem likely that the power was granted to these two English gentlemen for mercantile purposes. I think that it must have been granted for the purpose of the prosecution, and that this object having been gained by the commitment of the Maharaja, they immediately withdrew. Possibly they were too nearly connected with Hastings for it to be safe that their names should remain on the record. Hamilton may have been the Charles Hamilton who translated the Hedaya, and who was a protegé of Hastings, and Lodge may have been the civil servant who was Collector of Buzurg Umedpur in Bakarganj in 1786.

I shall be told that it is unfair to make suggestions of this nature, but I think that we are justified in presuming that there was something wrong, for why did not the Judges or Hastings publish the record of the commitment proceedings? Why were the proceedings in the conspiracy cases published, and not those in the forgery case? If Hastings had nothing to do with originating the prosecution, the preliminary proceedings would have been the best evidence in his favour. If these proceedings could have shown that the prosecution was *boná fide* instituted by Ganga Vishnu and Mohan Prasad, and that Hamilton, Lodge, and Love were in no way connected with Hastings, there could not have been a better defence for Hastings and the Judges than the publishing of the proceedings. If the power of attorney to Mohan Prasad jointly with the Englishmen was for the purpose of the criminal prosecution, this might help to explain Mohan Prasad's statement to Ram Nath, (1039,) that he could not desist from the prosecution as he had told a great many

English gentlemen of it. In their [illegible] at
Nanda Kumar was not committed till [illegible]
night on Saturday the 6th May. It is hardly [illegible] next day,
of attorney [illegible] It [illegible] the instrument was
[illegible] before the [illegible]
either the power was drawn up before the [illegible] enclosed. It is [illegible] to enable
[illegible] out, or that the power [illegible] necessary [illegible] that
that some special power of attorney [illegible] should be remembered that
Mohan Prasad [illegible] power [illegible]
Mohun Prasad had [illegible] directly [illegible]
He was not [illegible] that he was [illegible]
the twenty [illegible] the more [illegible] that he [illegible]
This makes it all the more [illegible] examined on the [illegible] produced it
pr[illegible] cent [illegible] When he was examined on all [illegible] produced it
that he was to receive five per cent [illegible] of attorney of [illegible]
when the power of attorney [illegible]
was found to contain [illegible] been [illegible] the power
that if it had been [illegible] by the Court [illegible] as he had
and that this was why [illegible]
which Driver drew up. It was [illegible]
Mohun [illegible] to [illegible] evidence [illegible]
a great interest in the [illegible] proved that he was to get five per
that by a [illegible] proved that he was [illegible] certainly [illegible]
been examined [illegible] It can never be certainly [illegible]
cent on the [illegible]
Gunga Vishnu was [illegible]
the anxiety of the defence [illegible]
the Court [illegible] that [illegible]
[illegible] confident of his [illegible]
were [illegible]
Vishnu would [illegible] Court
[illegible]

a well-wisher of Nanda Kumar and was said to have been hurried on against his will by Kista Jiban, Mohan Prasad and the legatees, to admit of the prosecution! For all these reasons it was important, I think, that the defence should have had an opportunity of examining him. We are told that he was ill, and that a doctor deposed that he could not come to Court without risk of his life. But could not the trial have been postponed for a few days? or could not the jury have adjourned to his house? Apparently if they had even consented to go down stairs he might have been examined, for part of the difficulty consisted in getting him over the verandah. Williams proposed to hoist him over with ropes, which of course was enough to frighten an invalid. It is observable that Sir Elijah Impey, though he told the jury not to take any prejudice against the prisoner for not calling Ganga Vishnu, said nothing to them about the possible loss to the prisoner by his not being examined.

THE ACCOUNTS.

I shall here endeavour to explain the accounts which were made out between Ballaki and his heirs on the one hand, and Nanda Kumar on the other. This is a point which was very slightly noticed by Sir Elijah Impey in his charge. All he said was—"There are two pieces of written evidence relied on by the prisoner; one, the entry in the book from the kararnama, on account of the agreement of the sums; and you will find that the sums said by Kista Jiban Das to be contained in the kararnama, *viz.*,

Darbar expenses	Rs. 6000
Bond, batta and premium	„ 69,630-7
Do. amount to the sum of	Rs. 75,630-7

which is the sum in the entry.

"The other is the account delivered by Mohan Prasad an Padma Mohan Das, in which Padma Mohan Das had take credit for this sum; and the subsequent account likewise contain it. I do not think much can be drawn from this, for the sum had, as Mohan Prasad says, been paid, and therefore the certainly would take credit for them, to prevent their bein charged with them; this they would do, were the monies proper ly or improperly paid." To this Sir J. Stephen appends th note, "I have not encumbered my account of the trial wit these papers for the reasons given by Impey." He takes notice of Impey's mistake about the figures, and does n apprise his readers that there was no such total anywhere Rs. 75,630-7, nor does he take any notice of the Nagari doc ment, Exhibit M, of which a translation is in the report. (982-8 Nor does he refer to a similar omission by Impey.

And yet this Exhibit M. was by far the most important document filed in the case, and it is impossible to decide on the question of Nanda Kumar's innocence without a careful study of it.

Elsewhere Sir J. Stephen gives a better reason for not inserting Exhibit M, namely, that several of the exhibits are to him unintelligible. I do not wonder at this, for Exhibit M is misprinted, and there are also mistranslations of the [illegible], and, but this does not excuse Sir James Stephen for rashly taking up the case and dogmatising on it. I have given much time to the study of the accounts and I think that I have succeeded in comprehending them.

We may describe the accounts as being five in number:—

1. The Karamnama.
2. The entries in the books.
3. Exhibit M.
4. An account filed in the Mayor's Court by Padma Mohan [illegible]
5. Exhibit Q, which was [illegible] after it had been signed by Padma Mohan and Mohan Prasad.

The first three, however, were the only important papers, and unfortunately the chief of them, namely, the Karamnama, could not be produced at the trial. We have [illegible] account of it and the entries which he made in the books from it.

The Karamnama was a paper written by Padma Mohan and [illegible] [illegible]

[illegible]

[illegible]

which by some was supposed to have had a good deal to do with Nanda Kumar's conviction. It is difficult to make out what Kista Jiban said on this occasion, for he was not fully examined, and he was evidently much confused. He was not even asked in what month or year Mohan Prasad saw the kararnama! He was examined at an extraordinary hour, about one o'clock in the morning apparently, after the evidence had closed, and when, no doubt, the Judges and the jury were anxious to get free from their seven days' captivity.

Sir James Stephen says: "The paper itself was not produced at the trial. If Kista Jiban Das was to be believed, it was when he saw it under the control of Nanda Kumar, for he said that the Maharajah sent for it from his house; but another witness, Mohan Das, said (if his evidence refers to this document, as I think it does, though it is by no means clear) that he made a copy by Nanda Kumar's desire of the original paper, gave the original to Padma Mohan, and kept the copy himself, which copy appears to have been produced at the trial." I am not sure that the first part of this statement is correct. It seems possible that what Kista Jiban meant was that the Maharajah sent for the kararnama to Mohan Prasad's house; and that in fact Mohan Prasad or Kista Jiban brought it to the Maharajah.

In the examination-in-chief Kista Jiban said that the Maharajah sent for the kararnama to his own house. In cross-examination the question put to him was "who produced the kararnama, Mohan Prasad or Maharajah?" The answer was: "Maharajah sent for it from his house." This is ambiguous, for we do not know what was the Urdu possessive pronoun used by the witness, but it is odd if the witness meant Nanda Kumar's house, for they were there at the time, unless, indeed, he meant Nanda Kumar's house in the country. However, the point is not important, for if Sir J. Stephen's interpretation be correct, there is no contradiction between Kista Jiban and Mohan Das. Mohan Das no doubt says that he delivered the original to Padma Mohan, but he does not say that Padma Mohan had it before, or that he brought it to Nanda Kumar's house. His evidence is consistent with the idea that the Rajah had the paper in his custody, and that he, at that interview, gave it to Padma Mohan after keeping a copy. It is not impossible that this witness, who lived at Cossimbazar near Murshidabad, may have brought the deed to the Rajah's from the house of the latter in that place, and that this may be what Kista Jiban referred to.

Mohan Das said he made his copy about six years before, and before the rains, but it is hopeless to try and fix the date. There is some apparently inextricable confusion in the report, for Mohan Das said he took a quarter of a ghurri to write the

copy and offered to submit to a trial if they doubted him. But instead of giving him the copy of the Ikrarnama to copy, they set him on Exhibit M, and then the reporter ... that he was an hour and a half over it, (1054). How he could take so long I do not understand.

As we have seen, Kista Jiban was not asked the date of the interview and we are left to conjecture on the subject. The Chief Justice assumed in his charge that the interview took place before the payment of the bond, for afterwards it could be of no use. I do not follow this. Why should not Nanda Kumar have sent for Mohan Prasad after the civil suit was brought and there was a talk of a reference to arbitration? In the same cross-examination Kista Jiban said that Padma Mohan had shown him the paper before Mohan Prasad took him to Nanda Kumar's house, and from his evidence (1052) we know that Padma Mohan showed him the paper about the end of 1771. I admit, however, that there is a confusion which I cannot explain, for Kista Jiban said before that he never saw the paper again after he had made the copy in the [illegible] from it. However, if the Chief Justice's view be correct that the interview took place before the bond was paid, there does not seem to be any contradiction between Kista Jiban's evidence and that of Mohan Das. The latter may refer to an earlier day.

The Ikrarnama must have been drawn up after the execution of the bond Exhibit A, for it referred to it and recited its terms. I therefore do not understand the point of the jury's question: would not the Ikrarnama have been given as security, or a bond to perform the contract? It was said the first [illegible] together [illegible] from the [illegible] Mr Jarret (1055) that the Ikrarnama was dated [illegible]. [illegible] the year [illegible] (January 1765) [illegible] which the [illegible] the day after the [illegible] of Pous.

[illegible]

According to Kista Jiban, the kararnama mentioned that a sum of money, the amount of which he did not recollect, was to be paid to the Governor and Mr. Pearson.(?) Unfortunately I do not know who Mr. Pearson was; it would be important to know, for it might enable us to fix the date of the kararnama. There was apparently a Mr. Pearson in Calcutta in 1768 who lost a young wife, for in the Bengal Obituary, (p. 69) there is the record of a Mrs. Sarah Pearson who died on 8th September 1768, aged 19. There is also (at p. 71) the record of the death of a Mr. Thomas Pearson in 1781 at the age of 42.* The kararnama also mentioned Rs. 3,500† on account of tips, that is, notes of hand. There was also mention of a bond on account of jewels on which there was a premium of four annas in the rupi.

Kista Jiban went on to say, that after seeing the kararnama, he made the following entry in the books. "In the private account of Ballaki Das, the sum of Rs. 129,620-7 is the jama of the account of Maharajah Nanda Kumar Ji; the particulars of which are on the credit side of the account given on inspecting a dastawiz; the receipt is taken, and it is written on the credit, Maharajah Nanda Kumar's account with you." Kista Jiban explained that though the entry was made after Ballaki's death, the words "with you" were employed, as the books were Ballaki's, and it appeared that there were other similarly expressed entries in the books. It, therefore, does not appear what grounds the Chief Justice had for saying that the entry carried marks of suspicion with it.

On the credit side there was the following entry:—"The jama of Maharajah Rs. 69,630-7, the bond of which Ballaki wrote the particulars, 48,021 Rupis, a bond bearing date 7th August 1765, in English words, but Nagari characters, the date of the bond is the 7th Bhadra 1172, Bengal style, Rs. 12,005-4, the account of interest sawa has been settled; which sums cast up, make 60 026-14, 9,604-3; 16 per cent. on account of Sikka Rupis added to that, make 69,630-7; there is an end of the account." This account of the entries does not seem full, for i gives details only of Rs. 69,630, and not of Rs. 129,630.

Kista Jiban said he made the entry under the orders o Mohan Prasad, Ganga Vishnu and Padma Mohan, but he adde that Mohan Prasad was not present, and that when he went t ask him, he told him to go to Padma Mohan, as he was the hea man. He could not say if Mohan Prasad and Ganga Vishn knew of the entry then, but they must have known of it whe

* This may have been the Thomas Pearson who was Judge Advocate June 1766, and took part in the trial of Cap. Stainforth. (Broome, p. 60 It really looks after all as if "Mr. Pearson" were a misprint for "Mal rajah." (See end of first para. of C. E. 1061.)

†Qy? 35,000. (See 1061.)

the papers were filed in the Civil Court. (Apparently the witness meant the Mayor's Court.)

Kista Jiban stated that he made the entries when the papers were called for by the Adalat (Mayor's Court) and that as near as he could remember he did so four or five years before. This would make the date December 1770. He afterwards said, however, that he made the account a little after the [illegible] came into the Court. Unfortunately the entry was [illegible] dated, and Kista Jiban said that he could show fifty [illegible] date, (1024). Mr. Farrer is said to have produced [illegible] by Padma Mohan on 1st October 1771. Of course [illegible] Padma Mohan died in December 1771 [illegible] 1st October 1771 is the time [illegible] that [illegible] Padma Mohan attended and was put under the charge of [illegible]. This would make the date little more than three years previous to the time of his giving evidence.

Sir James Stephen has a note about the [illegible] (155) which contains some extraordinary statements.

He says "Impey had only to [illegible] of the rules of evidence and he would have [illegible] important part of Nanda Kumar's defence. According to the rules of evidence, the entry made by Kista Jiban Das in Bulaki Das's book after his death in the account of Padma Mohan, was [illegible]. It was a mere [illegible] which would not be evidence. As to the [illegible] any presumption [illegible] to make [illegible] evidence of its contents [illegible] It was [illegible] Nanda Kumar [illegible] Kumar [illegible] produced [illegible] and there [illegible] the paper [illegible] Mohan.

[illegible] true that Kista Jiban [illegible] of Padma Mohan [illegible] Kista Jiban [illegible] Padma Mohan [illegible] Sir James Stephen [illegible] Kista Jiban [illegible] Cashnama [illegible] Bulaki Das.

Q. [illegible] — Are you sure that Bulaki Das [illegible]

A. [illegible] — I [illegible]

Bulaki Das [illegible]?

Q. [illegible]?

A. [illegible] — The [illegible]

[illegible] Das [illegible] Das [illegible]

[illegible]

[illegible]

[illegible]

Sir J. Stephen's right here, for he said that one of the two pieces of written evidence relied on by the prisoner was "the entry in the book *from the kararnama*."

Then, again, there was a search made among Padma Mohan's papers for the kararnama. We have seen that Mr. Jarret proved service of notice to produce, on Padma Mohan's heirs. His father and brother too appeared in court and gave evidence. Lachman, the brother, deposed that he did not come to Calcutta till eight months after Padma Mohan's death, and that Padma Mohan's papers were in court. Sib Nath, the father, said that he was in Patna when Padma Mohan died, and that he never had any of his papers. After that Kista Jiban went with Mr. Sealey, the former Registrar of the Mayor's Court, and searched for the kararnama.* He said he had looked over *every one* paper, and could swear that it was not among them. According, however, to the practice followed throughout the trial, Mr. Sealey was called to contradict him. He said that he was present when Kista Jiban looked over the papers, and that he did not look at some because of the indorsements, and some, because they were old, and some, because he had tied them up himself. Sealey added that he apprehended the papers could not be examined in less than three days. Then Kista Jiban was recalled and asked, did you examine every bundle? *Answer.*—There were several large bundles of papers of old accounts, that I did not examine, thinking them of no use. On this the Court said "this will not entitle you to read any paper, or make what Kista Jiban Das said evidence. But though it is not strictly so, I will nevertheless leave it to the jury." Here we have an individual judge speaking as the Court. I presume that this was Impey, and it shows the prominent part he took. We are not told in so many words that the papers searched were Padma Mohan's, but there can be no doubt they were so, for Padma Mohan's brother had just said, "both Padma Mohan Das' private papers and those of Ballaki Das were in the Court. Ganga Vishnu has taken away Ballaki Das' papers.† Padma Mohan Das, remain there."

We thus see that Sir J. Stephen is wrong in saying that there was no evidence of a search among Padma Mohan's papers. There was a search, and it was such as would probably have satisfied most persons. Notice was also given to Mohan Prasad to produce the papers, and Mr. Jarret's clerk proved that the notice was served, but of course, Mohan Prasad denied tha

* The witness did not say in so many words that he looked for the Kararnama, but he said he looked for a paper wrote in Ballaki Das' hand signed by Padma Mohan. It was a paper in which all the agreement was drawn. (1034.) This could only have been the Kararnama.

† It will be remembered that they were separated on 27th April 1775.

he had such a paper (980). Apparently the copy was [illegible] admitted, because service of notice on Ganga Vishnu was [illegible] proved. For this was the objection made by the Court on the last day but one of the trial (1039). If so, was this fair? Ganga Vishnu was declared to be a helpless invalid and Mohan Prasad was his attorney and had gone [illegible] to produce and had sworn that he had not the paper. Was notice to the [illegible] agent not enough, and was Impey justified in saying after all the steps taken by the defence that their attempt to establish the [illegible] as evidence failed of legal proof? So far from thinking that Impey admitted evidence too easily, it seems to me that he wrongly excluded it. Search for the original having been proved as above, he surely ought to have admitted the copy of the [illegible] which was attested by the [illegible] made from the original and which was [illegible] Chaitanya Nath. Mohan Das [illegible] Sango (?) [illegible] by Chaitanya Nath [illegible] (with the original I presume) and altered the words that were wrong. Chaitanya Nath deposed that the paper was read [illegible] to him and that he signed his name in Bengali. He was then asked if he understood Persian and replied that he did not, but that he spoke Hindustani. Then he was asked who explained the papers to him in Bengali. I suppose the Judges were [illegible] aware that the only difficulty that Chaitanya Nath could have [illegible] in reading it. Anyone who can [illegible] with the Persian [illegible] and lived [illegible] Hindustani can understand Persian [illegible] Chaitanya Nath was a Bengali [illegible] to him. This Chaitanya Nath [illegible] examined [illegible] Murshidabad. He asked to be examined [illegible] well [illegible] that he did not know [illegible] that Chaitanya [illegible] the jury [illegible] the matter [illegible] Hindustani [illegible] Nath [illegible] In spite of [illegible] that Chaitanya Nath knew [illegible] [illegible] none.

EXHIBIT [illegible]

[illegible]

[illegible] of Balaki Das [illegible]

[illegible]

Sir J. Stephen's right here, for he said that one of the two pieces of written evidence relied on by the prisoner was "the entry in the book *from the kararnama*."

Then, again, there was a search made among Padma Mohan's papers for the kararnama. We have seen that Mr. Jarret proved service of notice to produce, on Padma Mohan's heirs. His father and brother too appeared in court and gave evidence. Lachman, the brother, deposed that he did not come to Calcutta till eight months after Padma Mohan's death, and that Padma Mohan's papers were in court. Sib Nath, the father, said that he was in Patna when Padma Mohan died, and that he never had any of his papers. After that Kista Jiban went with Mr. Sealey, the former Registrar of the Mayor's Court, and searched for the kararnama.* He said he had looked over *every one* paper, and could swear that it was not among them. According, however, to the practice followed throughout the trial, Mr. Sealey was called to contradict him. He said that he was present when Kista Jiban looked over the papers, and that he did not look at some because of the indorsements, and some, because they were old, and some, because he had tied them up himself. Sealey added that he apprehended the papers could not be examined in less than three days. Then Kista Jiban was recalled and asked, did you examine every bundle? *Answer.*—There were several large bundles of papers of old accounts, that I did not examine, thinking them of no use. On this the Court said "this will not entitle you to read any paper, or make what Kista Jiban Das said evidence. But though it is not strictly so, I will nevertheless leave it to the jury." Here we have an individual judge speaking as the Court. I presume that this was Impey, and it shows the prominent part he took. We are not told in so many words that the papers searched were Padma Mohan's, but there can be no doubt they were so, for Padma Mohan's brother had just said, "both Padma Mohan Das' private papers and those of Ballaki Das were in the Court. Ganga Vishnu has taken away Ballaki Das' papers.† Padma Mohan Das, remain there."

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EXHIBIT M.

According to chronological order the exhibit next [illegible] the entries in the books of Ballaki Das, but I have thought it best to deal with these immediately after the karar [illegible] which they were made.

Exhibit M (982 83) is a statement [illegible] It seems to have [illegible] Nanda Kumar and [illegible] Nagari and [illegible] Mohan Das and [illegible] Saha (?) G [illegible]

was in Calcutta, but apparently the Court did not summon him. I now insert Ex. M. first, verbatim, as it stands in Howell, and secondly in the form which seems to me to be correct.

(1) Nagree paper fixed and marked Exhibit M. of which the following is a translate.

ACCOUNTS.

Rs.	As.	
66.320	7	Amount of a bond.
50,488	7	One time.
10.920		One time.
61.408	7	
4.912	0	Batta at 8 Rs.
60.000	0	One time Darbar and other expenses.
11.362	8	A bond on account of a mortgaged house.
2,552	0	Ready cash 2,200 Rs.
596	2	On account of Deaicam Chund Ghee Tawn 527 Rs.
140,804	1	
3,000	0	Paid by Chitonaute at one time 1,500
		1,500
145,804	1	

Rs.	As.	Tomusook
73,435	0	4 bonds 20,000, 20,000 13,435 Khut
60 000	0	Three notes 20,000, 20,000 Khut.
10,000	0	One note 10,000
		Tomusook
143,435	0	Bonds 8
2,369	1	Current rupis remain due
145,804	1	

(Signed.) MOHUN PERSAUD.
PUDMOHUN DOSS.

*Translation of the Nagari account, Exhibit M. (Howell 982-83) (with modifications and corrections**

The Estate of Bulaki Das in account with Maharajah Nanda Kumar.

Dr					Cr			
I	[illegible]	46,320	7	0	By eight Company's bonds aggregating ..	1,43,435	[illegible]	0
	[illegible] 7 0				Balance due to Nanda Kumar ..	2,369	1	0
	[illegible] 0 0					1,45,804	1	0
	[illegible] (Discharge at 8 p. c.)							
II	[illegible]	60,000	0	[illegible]				
III	[illegible]	11,352	8	0				
IV	[illegible]	2,552	0					
V	[illegible] 577 [illegible]	5[illegible]	2	0				
VI	[illegible]	3,000	0	0				
	[illegible]							
	[illegible]							
VII	[illegible]	[illegible]	0	0				
		1,45,[illegible]	[illegible]	[illegible]				

(Signed) Mohan Prasad
Padma Mohan Das

* [illegible] Nanda Kumar was paid in bonds, and [illegible] may have deducted [illegible] had been discounted in [illegible] per cent.

In making up this account, I have had to allow for errors in Howell's text. It is clear that as it stands in Howell it is wrong, for the true total of the figures shown on the debit side would be 143,835, and not as printed, 143,804. This discrepancy can, I think, be easily explained. The item set down as on account of Dharam Chand is Rs. 596-2, but if we assume that the 6 and the 9 have become transposed, as might easily happen in copying, we get an item which harmonizes with the total—for by reading Rs. 569-2, instead of Rs. 596-2, we get a reduction of 27, and this is exactly the difference between 143,835 and 143,804. The propriety of the correction becomes almost unquestionable when we find that Rs. 569-2, is exactly the value in current rupis of Rs. 527, the sum in the margin of the account, if the latter were arcots and converted at the established exchange of 8 per cent. This is the rate at which the large bond has been converted into current rupis, though the item of Rs. 2,200 has been converted at the rate of 16 rupis, that is the rate for the conversion of sikkas.

The grand total shown on the debit side is Rs. 145,804, but the details amount to only Rs. 143,804. I have, therefore, conjectured that the difference may be reconciled by debiting the Rs. 2,000 which Ballaki asked Nanda Kumar to pay to Dharam Chand. This sum was to be paid out of the Company's money (vide Ex. L) and it is conceivable that Nanda Kumar may have paid it, and yet that it should not be entered in the account, either through oversight, or because the receipt and the payment were simultaneous.* The total of the bond shown in this account (Ex. M) does not agree with the entry made in the books by Kista Jiban under the directions of Padma Mohan. The annas agree, but there is a difference of Rs. 3,310 in the rupis, the figures in the account being Rs. 126,320 and in the books Rs. 129,630. I cannot fully explain this discrepancy; possibly it is due to differences in the mode of calculating the exchange. The figures shown in the account are arcots, as is proved by the exchange being at Rs. 8†, and thus it appears that the amount of the bond was first converted into arcots, and then again into current rupis. In Kista Jiban's account the conversion was made at once from sikkas into current rupis at 16 p. c. A percentage of Rs. 2-4-10 would nearly give the difference between Rs. 60,026 and Rs. 61,408, and such an exchange would not be abnormal for arcots. I may here observe that it is difficult, and perhaps in some cases impossible,

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* Another possible explanation is that the figures may have been incorrectly copied from the Nagari, and that Chaitanya Nath may have paid two sums of Rs. 2,500 each.

† See Bolts, I, 205.

to ascertain what was the rate of exchange adopted on certain occasions. Verelst (App p 245) gives a diary for 3 months, (June-August 1768) showing how the exchange fluctuated from day to day In the account produced by Nanda Kumar against Hastings, a sum is shown as the amount for the exchange from arcots into sunnats, but I cannot make out the exact percentage, though it is nearly three per cent

It may be that the difference is due to something having been written off in Ex M. It will be remembered that Kista Jiban's entries were made from the kararnama and without any reference to Ex M It may be fairly argued, I think, that the very fact that Ex M does not quite agree with Kista Jiban's entries or with the kararnama, is evidence that it is an independent account, and not prepared in collusion with Padma Mohan or Kista Jiban

That Ex M is intended to represent transactions between Nanda Kumar and Bulaki's estate, no one can doubt who is acquainted with the facts of the case and the names of persons concerned therein

The item of Rs 11,362 8 for a bond on account of a mortgaged house, is probably the Rs 10,000 lent by Nanda Kumar to Bulaki at Chandernagore The fact of the loan being secured on a house, explains how the lease of the house came to be returned when the debt was satisfied I cannot explain how Rs 10,000-8 became Rs 11,362 8 This may be by addition of interest or it may be by exchange A percentage of Rs 13, annas 10 would give the difference exactly, and this is by no means an unlikely rate of exchange for converting sanwats into current rupees There is a curious resemblance between the Rs 11,362-8 here shown, and the item of Rs 11 262 8 [illegible] in Ex Q, as due to Mohan Prasad I do not suppose they represent the same transaction, but the figures seem to [illegible] a similarity in the mode of calculating the interest or the exchange Rs. 10 562 8 which is the amount of an item in Mohan Prasad's sum would be Rs 10,000 plus Rs 5 to p c

I cannot quite explain Mohan Prasad's statement (679) that Nanda Kumar said he and Padma Mohan had made out three papers, one for Rs 48,021 sikkas and two others aggregating Rs 35,000 arcots. If the evidence was true, Nanda Kumar may have been referring to the kararnama, which, according to Kista Jiban, (1,061.) mentioned Rs. 35,000 on account of *1765*.

The other two accounts to which I have referred may be dismissed with a few words.

The account of 1st October 1771 delivered in by Padma Mohan and of which Mr Farrer produced a copy, [illegible] in the report. Ex Q is first, but [illegible]

contains nothing about Nanda Kumar nor does it open with a balance referring to his transactions. Magal Calustry mentioned in it is probably a misprint for Miguel Van Colster.

The most important thing about the paper M. is that it was signed by Mohan Prasad. There is a conflict of evidence as to when and where this was done. Chaitanya Nath, the Maharajah's treasurer, deposed that Mohan Prasad signed the account in his presence at Nanda Kumar's house. He said that there were two adjustments of accounts. First Mohan Prasad, Ganga Vishnu and Padma Mohan came and settled the accounts in conversation On another day two of them only were at the house of Nanda Kumar and signed the account. These two must have been Padma Mohan and Mohan Prasad, for he had said just before that they signed in his presence, and at Nanda Kumar's house. He said that the persons present were Jai Deb Chaubé, Paresh Sudan Gupta, Mohan Prasad, Ganga Vishnu (apparently his presence must refer to the first settlement), Padma Mohan Das. Nanda Kumar and himself. No previous accounts were produced as far as he saw, but the balance settled was Rs. 2,369-1, *i. e.*, the balance shown in Exhibit M. This balance was struck when the bonds were delivered to the Maharajah. This, I think, may enable us to fix the date of the account as 14th January 1770, for we know from Chaitanya Nath's evidence that the bonds, though given to the Maharajah at the settlement of account, were not indorsed over to him till the following morning, and I think we may assume that the receipt Ex. F. was not granted till the transaction had been completed by the indorsement of the bonds. Ganga Vishnu would have been an important witness about the settlement, and the defence was anxious to call him, but were unable to do so. Jai Deb Chaubé was not examined or cross-examined on the point.

Mohan Prasad's account of the affair is given at 982 and 1044. He admitted his signature on Exhibit M, but professed not to know if the other was Padma Mohan's, and said that he did not think that the body of the document was in Padma Mohan's handwriting. Fortunately, Lachman, the younger brother of Padma Mohan, was able to prove that both the signature and the whole document were in his brother's handwriting, and Kista Jiban deposed to the same thing, so that Mohan Prasad was discredited by two witnesses. Mohan Prasad denied that he signed the paper at Nanda Kumar's house, or that the account was settled there in his presence. What he said was that the paper was drawn out in order to show it to Ballaki Das' widow. He said that he signed it at his own house, (1046,) and 18 or 20 days after the bond (qy. bonds?) was received by the Maharajah. But even this will not make

the transaction later than the first part of February 1770 and consequently many months before any accounts were filed in the Mayor's court. The fact that the paper was, according to Mohan Prasad, shown to the widow, also enables us to fix its date within moderate limits, for the widow returned to Benares a month or two after receiving the Company's bonds. (1026)

Mohan Prasad was asked why he signed the paper at all. He replied, "When Bulaki Das' widow called me to her she observed my signature was not to it, upon which Padma Mohan Das observed that the widow of Bulaki Das had taken notice of my signature not being to it. He said here is no matter, it is no account; only put your name to this. Why do you entertain any doubt about it? Only sign it, and I will give it you back."

Then he was asked if it was Maharajah Nanda Kumar's account, to which he replied by asking if they could find his name to it. Then he denied that it was his account. Further on in the report, however, he said, "It is Maharajah's account; the durbar charch is there, he took the bond for Rs 12,000 and obtained Rs 60,000 for durbar expenses."

Mohan Prasad's attempt to get over Ex. M. seems to me very suspicious. The omission of Nanda Kumar's name from it may have emboldened him to deny that it was Nanda Kumar's account, but he could hardly venture to deny that it related to Nanda Kumar's transactions. The mention [illegible] 66,320-7, of the name of Dharam Chand Bulaki's former partner, of Chaitanya Nath, and of the [illegible] Company's [illegible] was sufficient to put this beyond doubt. It will be [illegible] that Mohan Prasad had [illegible] a similar defence in the Civil Court. There too, according to [illegible] Sir J. Stephen, he admitted that he had signed the paper, but denied that it was an account with Nanda Kumar. That the paper filed in the Civil Court was Ex. M. [illegible] an adjusted account [illegible] Nanda Kumar's favour. We know, too, from Mohan Prasad, that Ex. M. was filed in the civil suit, [illegible]

I do not believe Mohan Prasad's [illegible] afterwards at his own [illegible]

I prefer to believe Chaitanya Nath [illegible] signature is above Padma Mohan Das' [illegible] have been the case unless [illegible] afterwards [illegible] the paper was [illegible] Padma Mohan Das [illegible] [illegible] Nanda Kumar [illegible] and yet we see that it was [illegible] [illegible]

for he says} Padma Mohan promised to give it him back. Why did he not insist on this being done?

My impression is that Mohan Prasad wanted to get Ex. M. confounded with the far later account filed by Padma Mohan, and that he was successful in this respect with the Chief Justice. The latter says nothing in his charge about Ex. M. or about Chaitanya Nath's evidence, and only speaks of the accounts filed in the Mayor's court. There were two such accounts, *viz.*, one signed by Padma Mohan alone, and another, Ex. Q., which he and Mohan Prasad signed (1023.) The first of these two accounts was apparently shown to the widow, and this probably is the reason why Mohan Prasad spoke of Ex. M. as having been shown to her. But that account was quite different from Ex. M. It was a general account of the affairs of the estate, though it included Nanda Kumar's account, and it ended with a balance of Rs. 60,000. Besides, it was written by Kista Jiban and not by Padma Mohan, and was not produced at the trial (1025-1026.)

Sir J. Stephen says ditto to Brother Impey, and passes over Exhibit M. *sub-silentio!* Truly, the slap-dash, *pede sicco* fashion in which these two English judges pass over the accounts, is very wonderful! Boughton Rouse was an oriental scholar, had native colleagues. and was trying merely a civil suit, yet he shrank from deciding the cause as it depended materially on accounts in Nagari. Lemaistre and Hyde, after being barely six months in the country, decide in one day, and apparently chiefly on the oaths of Mohan Prasad and Kamiladdin (see their warrant to the Sheriff) that Nanda Kumar is guilty and send him to jail. Impey next month either says nothing of Ex. M., or what he does say is misleading, and their apologist, who is also a judge, declines to encumber his narrative with a mention of the papers!

When Sir James Stephen says that there is not a single observation in Nanda Kumar's favour which was not noticed by Impey, has he ever thought of Exhibit M.? Was it not Impey's duty to put this Exhibit prominently before the jury, and to point out to them that if they believed Chaitanya Nath, it would be very difficult to convict the prisoner, for Chaitanya Nath deposed that the account was adjusted at Nanda Kumar's house and in Mohan Prasad's presence? Were not the facts that Ex. M was signed by Mohan Prasad, and that it had been used in the Civil Court by Nanda Kumar of the highest importance? Could it be believed that if the bond really was a forgery, and that Mohan Prasad knew it to be such, he would sign such an account as this and allow it to pass into the hands of Nanda Kumar? Was a paper which was Nanda Kumar's chief reliance in the Civil Court of so little importance when he was being tried for his life, that the

Chief Justice should say nothing about it? D[illegible] such as this not justify the averment in the impeachment, that the Chief Justice instead of acting as counsel for the prisoner "became in effect the agent and advocate of the prosecution, and pronounced a charge when he summed up the evidence on the said trial with the most gross and scandalous partiality, dwelling on all the points which appeared favourable to the prosecution, and either omitting altogether, or passing lightly over such as were favourable to the prisoner, and manifesting throughout the whole proceeding an evident wish and determined purpose to effect the ruin and death of the said Maharajah?" Finally, is it not almost a scandal that an English judge of the present day should write of the above averment that every word of it appears to him to be absolutely false and unfounded? Not that I mean to reprehend freedom in expressing opinion, but surely one in Sir James Stephen's position should have studied the exhibits before dogmatizing as he has done. In one place, (250) he argues against Hastings having to do with the prosecution from its necessarily being uncertain as to its issue, and triumphantly asks "How could Hastings or his friends tell that Nanda Kumar might not have documents clearly proving that the transaction was a thoroughly genuine one, that he might not e.g., have a receipt for the jewels?" How indeed? Was it not enough for them to know that it was a case of *Jupiter hostis?** As a fact Nanda Kumar had convincing documents and produced them. He had a genuine impression of Bulaki's seal which agreed with that on the bond. He had letters in envelopes sealed by Bulaki. He had a copy of the karatnama which had been compared with the original, he had proof that the original was [illegible] or was in the hands of Mohan Prasad. He had an adjusted account signed by Mohan Prasad early in 1770 (Ex. [illegible]) and he had the entries made by Kista Jiban. What was there on the other side? Some five witnesses, of whom only four were important, Kamaluddin, Mohan Prasad, [illegible], and Nava Krishna. The first was the *farmer* of Hastings' banyan,† the second was the [illegible]

* [illegible] was C[illegible]
[illegible]

† [illegible]

[illegible]

of Ex. M., the third was a hanger-on on Barwell, and the fourth was an old banyan, and a man of vile character.

Even Sir J. Stephen admits, (252,) that the case for the prosecution was far from being overwhelmingly strong, and that it was little more than a *prima facie* case. But he founds a peculiar line of argument upon this. His view is, that as the case was weak, it follows that it was a *boná fide* private prosecution, and that Hastings had nothing to do with it! Most people, I should think, would be inclined to say that if the case was weak, and yet the prisoner was convicted and hanged without any attempt by the Judges or jury to save him, it was probable that the whole affair was pre-arranged and that the trial was a farce.

Sir J. Stephen argues that if Hastings knew of the civil proceedings he would have put them in. This, he says, because Farrer speaking some 13 years afterwards, said the civil proceedings were not altogether favourable to the defence. But Mohan Prasad knew of these proceedings if Hastings did not, and if he was a *boná fide* prosecutor, as Sir J. Stephen says he was, why did he not put them in? Nobody says that Hastings or his friends had a minute knowledge of the civil proceedings, but that he knew of the suit appears clearly from the fact, vouched for by Impey, as being notorious in Calcutta, and which is alluded to by Price, that when Palk confined Nanda Kumar, Hastings directed his release. Hastings' motive for this is clear enough. Palk confined Nanda Kumar in June or July 1772, and at that time Hastings was employing Nanda Kumar to expose Mahomed Raza Khan. It was in July 1772 that Nanda Kumar's son, Gour Das, was made Diwan.

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connection with them, and that indeed he had been seriously injured by their being given to Kamiladdin. But it is clear from Kamiladdin's own petition (1100) that Kanta Babu retained his interest in them, for the petition states that Ram Prasad Mukarjya under-farmed the Thika Khalaris from Kamiladdin on account of Babu Leekenace and Nundee giving Mr. Archdeakin as his security. Now there can be no doubt that this extraordinary name, Leekenace and Nundee is a corruption of Lok Nath Nandi, the son of Kanta, who was then a boy of 10 or 12 years of age.

Kamil's petition of 13th December 1774 (that presented by Hastings to the Board) refers to Kanta Babu's salt, and there are papers in the Board of Revenue Office showing that 26,000 maunds of salt belonging to Kanta Babu were delivered to him because he had made them before Kamil got his farm. There is also a report on the subject of Kamiladdin's debts by the Provincial Council of Calcutta, printed in the Bengal Appendix (No. 3[illegible] F, 642.) It is dated May 12th, 1775, and shows that a balance of about 1½ lakhs of rupis is due by Kamil. The report mentions that 26,000 maunds had been given up by the Governor and Council to Lok Nath Nandi, and Kamil gets credit accordingly, the demand against him being reduced from 100,000 maunds to 74,000.

THE CIVIL SUIT.

The Civil Suit was instituted in the Court of Kachahri. This was a country, or Company's Court, and not a Court of record, or established by Royal Charter, as was the case with the Mayor's Court. Bolts, (Vol I, p. 80), describes it as follows: "The Court of Cutcherry, on its present establishment, is composed of the Company's servants under Council any three of whom, their President being one, upon days stated at their own option, meet for the hearing, trying, and determining in a summary way, all matters of meum and tuum to any amount, wherein only the native inhabitants of Calcutta are concerned. The mode of proceeding is indeed as summary as possible. The plaintiff and defendant, with their respective witnesses being summoned, the Court hears what they have to offer and prove, viva voce, and immediately proceed to decree in such matters as do not admit of much contest. From the decisions of this Court the Company have directed appeals to lie finally to the Governor and Council, which however, is seldom done, except in matters of the greatest consequence, as it is in these cases the general practice of the Court, when not unduly interrupted, to have every cause determined by arbitrators or umpires chosen by the parties, or with their consent, whose decision is final, and made a decree of the Court.*" It appears from the evidence of Mr. Mahomed who was a witness in the cause and [illegible] to remember, that the suit against Nanda Kumar was instituted about the middle of 1772. Speaking in June 1775 he said that the suit had been instituted about three years before, this [illegible] agree with Kamal-ud-din's statement that Mr. Paik [illegible] Nanda Kumar about three years ago (957).

The suit seems to have been instituted by Gaņes Vit [illegible] though it is very likely that [illegible] had a hand in it. Nanda Kumar was the defendant. The [illegible] was for Rs. 120,000 7 which were said to be due to B[illegible] [illegible] account of Company's bonds. It [illegible] that the suit was based on [illegible] by Kamal-ud-din [illegible] the order of [illegible]

The Court of Kachahri [illegible] the name of Robert Paik, and it appears that [illegible] Nanda Kumar [illegible] of Court [illegible] his peculiarity. He says that "[illegible]

* [illegible]

Nanda Kumar in the country courts; a spirited young gentleman, then President of the Cutcherry, sent and arrested the Raja for contempt of Court, and without paying any regard to the solicitations of the Governor of Bengal for the time being (not by committing to disgrace a nobleman and Brahman of his high order,)—he sent him to the common prison of his Court. The commitment being only for contempt, the Raja by making proper concessions, got out again and the suit went on." Impey referred to this before the House of Commons, saying that "it was in evidence that Mr. Palk, Judge of the Adalat, had confined Nanda Kumar for the forgery; and that it was notorious that Mr. Hastings had ordered him to be released. This of itself was sufficient to prevent any native inhabitant of Calcutta from commencing a prosecution against him." Before I proceed to notice Sir James Stephen's remarks on Impey's statement, I beg to call the especial attention of my readers to this last sentence. Is it not a plea by confession and avoidance that no attempt was made to prosecute Nanda Kumar before May 1775? or at least, is it not an admission that there was no prosecution after Nanda Kumar's release by Hastings till May 1775.*

Sir J. Stephen's remark is as follows:—"Palk's evidence, if he gave any, is not in the report of the trial. The evidence of Farrer and Boughton Rouse given before the Impeachment Committee after Impey's defence, does not mention this, and is hardly consistent with it. I think, therefore, that Impey must have been mistaken in his assertion."

This is a proof, if any is wanting, of the hasty manner in which Sir J. Stephen has got up his case. Palk† did not give evidence, but Kamiladdin did, and he was sufficient authority for Impey's statement that Palk confined Nanda Kumar, (937,) but the statement that he confined him for forgery is not true nor was it made by Kamiladdin. I think Impey must have known that the statement was false, for he could not have forgotten what took place before himself at the examination of General Clavering in the conspiracy case. (1221-22.) Then Impey knew better about the functions of an Adalat, for he asked (or one of his brethren asked) Clavering how there could be a charge of felony

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* If there had been a prosecution for forgery in 1772, and there the matter had been dropped and not revived till the quarrel between Nanda Kumar and Hastings, this would strengthen the probability of the prosecution's being instigated by Hastings who knew all about the civil suit and the imputation of perjury cast upon Nanda Kumar. (See Price, Impey, and Clavering.) Probably Sir J. S. saw this, and preferred to reject Impey's statement.

† Palk was probably a son of Sir Robert Palk, who rose from being a Company's Chaplain at St. David's, to be Governor of Madras. The death of his wife Lucia in 1772, is chronicled in the Bengal Obituary.

in a Civil Court.* We may note here Price's account, according to which Hastings did know of the confinement and tried to get Nanda Kumar released. I do not believe that Pal sent Nanda Kumar to jail; he probably was not such a fool as to do so, and if Nanda Kumar had really been in jail we should have heard about it in the discussion of his treatment when confined later.

The Court of Kachahri was superseded by the Civil Court which was established under the regulations of Aug. 21st 1772. Mr. Boughton† seems to have been its first judge. I have not seen Mr. Boughton's evidence since writing my articles on Warren Hastings (in 1877) and I must therefore rely on Sir James Stephen's account of it. It appears that he said the Civil Court was instituted in December 1772. No doubt some time would elapse before the August regulations were carried into effect and *the intervention of the [illegible] would prevent much work till November or December.* Boughton said that Mohan Prasad was Ganga Vishnu's attorney. I find from an old note of my own that he was described as being a very litigious man. Boughton said that Nanda Kumar set up an account stated to be adjusted between himself and the representatives of Bulaki Das, and shewing a small balance in his favour. No doubt this was the M which shows a balance of Rs. 2,5[illegible] in Nanda Kumar's favour. He further said that the account had been signed by the plaintiff and Mohan Prasad but that they denied that it was an account with Nanda Kumar. Here Boughton's memory must have failed him and [illegible] the wonder is that he remembered so much. The account was not signed by Ganga Vishnu but by Padma Mohan. I cannot understand their denial that the account was one with Nanda Kumar. His name may not have been in it, but if they really said that it did not relate to Nanda Kumar's dealings with Bulaki Das they must have lied. It is perfectly clear from the mention in it of the bonds, and from the occurrence of the dates, expressions, the jewels bond, Chaitanya Nath, &c., that it was Nanda Kumar's account. Probably they said that it was not a stated account, [illegible] it is not easy [illegible] I have said even this when the names of Mohan Prasad and Padma Mohan recur.

The suit does not seem to have been actively proceeded with in 1773. [illegible] to [illegible]

* See [illegible]

† [illegible] He was [illegible]

says that the Supreme Court made Boughton disgorge Rs. 3,000 which he had taken from a litigant in whose favour he had given a decree for Rs. 8,000 (letter to Burke p. 63.) It appears, however, that one reason at least of the delay was that the Court found it necessary to investigate the antecedent transactions which related to the deposition of Company's bonds in the hands of Nanda Kumar, and called on the plaintiff for a more minute explanation of his demand. He accordingly sent in an amended bill of complaint in February 1774, in which the circumstance of three fictitious bonds was alleged. Sir J. Stephen says that this must mean to refer (sic) to fictitious bonds from Ballaki Das to Nanda Kumar. But I imagine that it refers to the three papers which Mohan Prasad said Nanda Kumar told him that he and Padma Mohan had drawn out, *viz.*, one for Rs. 48,021 sikka, and other two aggregating Rs. 35,000 arcots. (950.)

After the Court had heard evidence, it recommended arbitration, because the plaintiff desired it, because the case was intricate, and depended materially on Nagari accounts, and because if a decisive opinion had been expressed in favour of plaintiff, there would have been an implied charge of forgery against Nanda Kumar, also because one of the native members of the Court was known to have been recommended to his office by Nanda Kumar. Boughton might have added that a resort to arbitration was expressly recommended to the Civil Court in all cases of disputed accounts by Article 22 of the Regulations of August 1772 (Harington, II, 5.)

Boughton said further that Nanda Kumar at first made a difficulty about referring the case to arbitration, but consented at last, and that even then the *parties*, as far as Mr. Rouse remembered, could not agree about arbitrators, and whilst matters were in this suspense the Supreme Court arrived in Bengal. Commenting upon this Sir J. Stephen says, "In a word, litigation which had lasted upwards of two years was brought to a standstill by the reluctance of the Court to proceed in a course which might cast upon Nanda Kumar the imputation of forgery, and by Nanda Kumar's refusal to agree upon arbitrators after a reluctant consent to refer the matter had been obtained from him. It is not at all surprising that in these circumstances the attorney for the plaintiff should recommend his client to adopt the shorter and sharper course of prosecuting Nanda Kumar criminally." My first remark here is that I do not see where Sir J. Stephen gets his authority for saying that it was Nanda Kumar who would not agree about arbitrators. Rouse says that the "parties" could not agree, and this might mean the plaintiff. Then again I do not see why Sir J. Stephen should speak of Mohan Prasad as the plaintiff in the case, and as Mr. Driver's client. Mohan Prasad was not the plaintiff; and

Ganga Vishnu, and not Mohan Prasad was Driver's client. As Impey remarked in his charge, Mohan Prasad does not seem to have been a party to the civil suit.*

Rouse's statement that an amended bill of complaint was filed in February 1774, though it is possible that there was a mistake of a month here, is very important, as it enables us to understand Driver's petition to the Mayor's Court of 25th March 1774. Sir J. Stephen refers (I, 96) to this petition in support of his allegation that there was an attempt at a criminal prosecution many months before the Supreme Court was established, but it seems to me that it is evidence the other way. The following copy of the petition will enable my readers to judge for themselves. "25th March 1774. Mr. Driver, attorney for Ganga Vishnu, read a petition from him stating that by the order of the Court all the papers belonging to the estate of Bulaki Das were deposited in the Court, among which were 2 bonds, receipts and vouchers that he had *[illegible]*, and wanted the said bonds, receipts and other vouchers in order to establish the same, and praying that they may be delivered to him, giving the usual receipt for the same." The Court deferred the consideration of the petition till next court day. "Ordered that [illegible] and [illegible] be permitted to attend at the [illegible] to [illegible] papers and vouchers of [illegible]. [illegible] that Driver's motion was finally rejected. The terms of the Court's order [illegible] that the motion was considered to be one which should properly have come from the Civil Court, and [illegible] that the papers [illegible] have been given up to that court [illegible]. It does not appear however that Mr. Driver ever moved the Civil Court to [illegible]. If the Mayor's Court [illegible] Driver could have appealed to the Court of Appeals [illegible] [illegible] [illegible] it could have [illegible]. [illegible] the Supreme Court [illegible] records of the Mayor's Court had been transferred [illegible] [illegible]

Thus [illegible] 20th January 1775 [illegible]

* [illegible]

on the 30th idem. It was opposed by Mr. Brix as advocate for the father and brother of Padma Mohan Das, and the order given was that the register should, with the assistance of Hazari Mal and Kashi Nath Babu, examine the papers, separate those of Ballaki's estate from those of Padma Mohan's, and deliver the first to Ganga Vishnu and the latter to Sib Nath, father of Padma Mohan. There was some delay in this being done in consequence of Hazari Mal and Kashi Nath's not attending, but eventually Mr. Sealy, the register, separated the papers by the agreement of the parties, and delivered Ballaki's to Ganga Vishnu. Sir J. Stephen says, (I, 95) that the date of the delivery of the papers does not appear, but it is given in the report, in Mr. Sealy's evidence, who says that it was about the 27th April,* Padma Mohan Das' papers remained in Court after the separation (vide evidence of his brother Lachman, 1034.)

I have now brought the history of the case down to close upon the institution of the criminal proceedings. It will be seen that Driver asked for the papers for the purpose of civil litigation, and not for the institution of the criminal proceedings. This, also, appears to have been Farrer's reason for applying for them. Had he asked for them in order to prosecute Nanda Kumar for forgery, he would hardly have become Nanda Kumar's advocate in May. We do not know all that took place in the Civil Court, but we know that Yar Mahomed, and Kista Jiban gave evidence in favour of the Maharajah. (1014 and 1062.) We also know that Yar Mahomed's evidence was given before Mr. Rouse, which shows that that gentleman took evidence in the case. This must have been in December 1772 at earliest. Further, Yar Mahomed at all events, if not also Kista Jiban, must have been a witness for the defence, and he could hardly have been examined until the case for the plaintiff was closed. Now it is a very extraordinary circumstance, and one which to my mind is almost conclusive against the genuineness of Kamiladdin's evidence, that he was not examined in the civil suit! It seems incredible that Ganga Vishnu or Mohan Prasad should have omitted to call him, if what he said at the forgery trial was true. According to Sir J. Stephen, (118,) Kamil's evidence was so important, that Nanda Kumar was willing to confess to him, in order that he might get the benefit of it. Why then, when Kamil proved virtuous, and refused to give false evidence even at the risk of losing his farm from inability to produce security, did not Mohan Prasad call him? Kamiladdin tells us (937) that he first heard of his name being forged from Mohan Prasad, and that this was

* See also 1033, where it is said that the papers were separated on April 27th.

two months before Mr. Palk confined Nanda Kumar, and two months before he got his post, which was three years previously. Consequently he must have heard of it in April 1772.* [illegible] Mohan Prasad, Kamaluddin said he went to Nanda Kumar, who confessed the forgery to him (?) and asked him to give evidence before the gentlemen of the Adalat. Then he went and told Khwaja Petruse, and Salaruddin Kamal wanted to complain about the forgery to Hastings and the Adalat, but Salaruddin advised him not to do so, as Hastings had given Rajah Gour Das the Khilat for the office of Diwan. This would make July 1772 the time of the conversation, for it was in that month that Rajah Gour Das was appointed. It is of course suspicious that he should have been so long in telling Salaruddin or in thinking of complaining, but at all events he knew all about the forgery and had thought of complaining long before Mr. Rouse had charge of the Adalat (December 1772.) In the course of the same deposition Kamaluddin made the strange statement that he had once seen the bond with Nanda Kumar. His words are "Mohan Prasad first told me that my seal was to a bond, and then the Maharajah himself told me he had put my seal to a bond, *[illegible] before himself.*" If this is true he must have seen it as early as January 1770.

My authority for the statement that Kamaluddin did not give evidence is a letter written by Nanda Kumar to the Council on 8th May 1775, that is, only two days after his commitment to jail. In this very [illegible] that letter Nanda Kumar says, that he has [illegible] [illegible] all [illegible] of witnesses [illegible] produced [illegible] the Civil Court, although the case had been pending there for three years. Nor [illegible] [illegible] and [illegible] [illegible] to the [illegible] that Nanda Kumar [illegible] the evidence of Kamaluddin [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] the Civil Court. I must add here that [illegible] [illegible] that Nanda Kumar [illegible] [illegible] [illegible] [illegible] [illegible] Nanda Kumar [illegible] [illegible] [illegible] [illegible] Nawab [illegible] [illegible]

[illegible]

* [illegible]

informed) of the Governor's approbation of his father, that he instated my son in the post with view to his profiting from my experience and wisdom, I might perhaps startle the Honourable Bench with an address from the common jail had I not in a degree prepared them for some fatal change in my situation by a representation I made in the month of March 1775, of the severe menaces that had been uttered against me by the Governor-General. When the first Magistrate declares his determined intention of hurting an individual to the utmost of his power, the enemies of the man so marked for destruction, will eagerly grasp at an opportunity for gratifying their malice."

It is important to bear in mind that the amount of the jewels bond was not the only thing in dispute in the Civil Court. This constituted little more than half of the claim, for there were Rs. 60,000 for darbar expenses. There was thus a good foundation for a compromise or a reference to arbitration, and I do not think that it would be fair to infer anything against either party for their being willing to submit to arbitration. But it certainly seems to show that Mohan Prasad was not then anxious for a criminal prosecution, and also that either Kamiladdin's story was not invented then, or that Mohan Prasad did not think very much of his evidence. According to Kamil, Mohan Prasad knew all about the evidence he would give while the suit was still in the court of Kachahri, and yet we find Mohan Prasad willing to refer the matter to arbitration.

Another very important thing to be remembered is, that the civil suit was never decided. It was actually pending when Lemaistre and Hyde issued their warrant. I do not know if this rushing into criminal procedings arising out of a pending civil suit was illegal then (it would be so in India now, and this has been the rule for many years) but surely it was most rash to take up the case criminally and to hang the defendant before the civil suit had been tried out. It was early found in India that much evil was caused by allowing parties to civil suits to institute charges of perjury and forgery, and the sanction of the Civil Court was made necessary. (See Reg. 3 of 1801, abstracted in Harington I, 348, and Construction of the Sadr Diwani of 13th July 1827.)

This point was noticed by the Select Committee when they said with reference to Nanda Kumar's case, that "the criminal fact allgeed, was at that time, and had long been, in a course of examination in a civil suit, the event of which was to be decided by the authenticity of the instrument said to have been forged."

Sir J. Stephen says (I, 92,) "It is not at all surprising that in these circumstances (alluding to an alleged refusal of Nanda Kumar to agree upon arbitration) the attorney for the

plaintiff should recommend his client to adopt the shorter and sharper course of prosecuting Nanda Kumar criminally. His conviction for the criminal offence would in itself operate as a verdict in his adversary's favour in the civil action, but if his goods were forfeited it would give him practically an irresistible claim on the Government, and if the law of forfeiture was not applied the claim after Nanda Kumar's execution would practically be established against his representative. Now in the first place his claim would only have been established for about Rs 70000 out of Rs 150000. And secondly it is a curious comment on this reasoning to find that Nanda Kumar's property all went to his son (Stephen I. [illegible]) and that it was neither forfeited nor made over to Ganga Vishnu.

It is interesting to watch the slow progress of truth and to see with what difficulty she succeeds in driving Duessa from all her fastnesses and starting holes. For a long time the favourite story was that there had been a criminal prosecution of Nanda Kumar in the Mayor's Court, and that this was transferred to the Supreme Court in due course in consequence of all the business and the records of the Mayor's Court being transferred to the Supreme Court under the Regulating Act. When this could no longer be maintained it was said that, at all events, there was a civil suit in the Mayor's Court and that this turned on the question of the forgery. We now find, however, that this story too is [illegible], and that the Mayor's Court had never anything to do with Nanda Kumar, and that its only connection with the affairs of Bulaki Das [illegible] was in its capacity as a Court of Probate. In fact there could not have been a civil suit in the Mayor's Court between Ganga Vishnu and Nanda Kumar [illegible] for only in that case would the Mayor's Court have [illegible]. As there was [illegible] in the [illegible] Court that is the Court of Kachahri.

The limitation in the jurisdiction of the Mayor's Court was [illegible] [illegible] the Mayor's Court was [illegible] [illegible]

sudden, after the Company's lawyer (Durham) had gone to them with the bond. Now that must have been after the 27th April 1773.

It is evident (I, 90) that Sir J. Stephen was aware that the suit was in the Civil Court and not in the Mayor's Court, but he falls back into the old error (I, 118) when he speaks of the suits going on in the Mayor's Court from 1772-74. It almost appears from the tone of Farrer's remarks, (I, 94) that Farrer was, in 1788, under the same mistake.

I must now say a few more words about my second point, *viz.*, that there was no attempt at a prosecution before May, 1775. We have seen that no such attempt was even alleged by Mohan Prasad or Sir E. Impey. The resource of most writers has been the supposed case in the Mayor's Court, but as it has been successively shown, 1st that there could be no criminal case in that court ; and 2nd, that there was not even a civil suit there, a new point has been raised, *viz.*, the evidence of Mr. Farrer. This evidence I understand Sir J. Stephen to charge me with knowingly passing over. (I. 94). I do not think that the passage was overlooked by me in 1878, for I find a reference to it in my note-book. My view, if I remember rightly, was, that Farrer's statement was worth nothing. It was made 13 or 14 years later about a conversation which he had with Mr. Driver in Nov. 1774.(*) Farrer said that Driver, the attorney of Ganga Vishnu, told him that he had advised his client to take criminal proceedings, that Mohan Prasad had agreed, and that he, Driver, had therefore applied for papers in March 1774. The story therefore depends not only upon Farrer's power of recollection, but also on the veracity and memory of Driver. Farrer, speaking in 1788, may have mistaken or have forgotten what Driver told him in Nov. 1774, and Driver may then have forgotten what took place in the previous March. That he did forget or misstate the facts is proved by the contents of the petition of March 25th, 1774, which recites that Driver wanted the bonds for prosecuting *civil suits*. There is no clear order refusing him the original, and I do not understand why he should have been offered copies when Mohan Prasad had them already. Moreover, Mohan Prasad was not Driver's client. The evidence, then, is a hearsay statement made by A of

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* Sir J. S. says that Farrer arrived in India two or three days before the Judges. (I, 92) I suppose he has authority for the statement. I however cannot reconcile it with that, (I, 31) to the effect that Col. Monson took him out as his secretary, for the Judges and Members of Council arrived at Calcutta together. Possibly Farrer was part of the legal freight of the *Anson* and did not come in Monson's ship. He is not mentioned by Macrabie as a fellow-passenger, and it is not likely that he was at the second mess.

what B told him 14 years earlier about the intentions of C, or rather of C's agent D, and it is in opposition to contemporaneous writing. Surely if ever there was a case in which written testimony should be preferred to slippery memory, this is one. It is to me quite inconceivable that if Mohan Prasad had really attempted a criminal prosecution before and had taken any steps for the purpose, he should have failed to mention the facts when he was examined on this point at the trial (1043). Granted that he was a bitter enemy of Nanda Kumar, still he apparently could not prosecute of himself. He needed a power from Ganga Vishnu, and it is very unlikely that Ganga Vishnu of his own free will would give him a power for such a purpose. There is an *a priori* argument against Mohan Prasad's voluntarily coming forward as prosecutor, which is to my mind of considerable weight. This is the fact that he signed the petition of March 1765 for the pardon of Radha Charan Maitra. This petition is printed by Verelst (App. 1770) and is strongly worded. (*) It recites the general consternation, astonishment, and even panic with which the natives of all parts, under the domination of the English, are seized by this example of Radha Charan Maitra, that they find themselves subject to pains and penalties of laws to which they are altogether strangers, etc. Is it likely that after signing such a petition and therefore well knowing what the punishment for forgery was by the English laws, he would voluntarily prosecute an aged Brahman (†) under that law, and a man, too, with whom he had formerly been on terms of strict friendship, and who, he said, had loved him as his son? (1047.)

No one can tell when the thought of prosecuting Nanda Kumar first occurred to Hastings or to Mohan Prasad. It is quite possible that it arose almost as soon as the Judges arrived in India. If Ram Nath is to be believed, which of course is very doubtful, Mohan Prasad was talking of prosecuting Nanda Kumar in Assin (*i.e.* September October) 1774. Nanda Kumar and Hastings had always been ant[illegible]

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* [illegible]

† [illegible]

to one another, and the feeling of mutual aversion must have been embittered by the failure of the prosecution of Mahomed Reza Khan and the downfall of Nanda Kumar's expectations.

Sir J. Stephen speaks of Nanda Kumar's deadly hated, for Hastings, and says the feeling *may have been* returned by Hastings, as if the point was a doubtful one. Perhaps his doubt will be removed if he refers to a letter written by Hastings in 1788, that is, thirteen years after Nanda Kumar's death, and when the hate might be supposed to have been in some measure appeased. Then Hastings says "I was never the personal enemy of any man but Nuncomar, whom from my soul I detested even when I was compelled to countenance him." (Gleig. III, 338.) No doubt the arrival of the Judges and the Councillors, and the hopes and fears incited by the new order of things, blew the smouldering animosity into a flame. A week after the arrival of the Members of Council, and consequently about the 25th October 1774, Nanda Kumar asked Hastings to introduce him to the new powers. This request must have been gall and wormwood to Hastings, especially if it was made just after the meeting of Council on 25th October, when, as we know, the quarrel about the Rohilla war began. So Hastings tauntingly replied: "You have contracted a friendship with my enemy, procure an interview by his means." And then he added the menace "I shall pursue what is for my own advantage, but in this your hurt is included; look to it." The enemy here meant was Mr. Joseph Fowke, who was in India when the *Anson* and *Ashburnham* arrived, and who went down the river to Kedgeri to meet General Clavering.

On 25th March 1775, Hastings wrote to his agents, Graham and Macleane: "Goring is employed as their (the Members of Council) agent with Mahomed Reza Khan, and Fowke with Nanda Kumar. I believe you both knew before you left Calcutta that it was reported, and currently believed, that he * had been many days in close counsel with Nanda Kumar before the arrival of the transports, and carried down with him a long list of malversations to present to new members. I suppose it is the same with that which Nanda Kumar himself has since presented."

After Nanda Kumar's request for an introduction to the councillors, the quarrel between him and Hastings went on increasing,

* Gleig (I, 516) It is printed "I" but it is clear that Fowke is meant. Francis also refers to the supposed compact between Nanda Kumar and Fowke. He says (II.49) that he suspects Joseph Fowke had laid a plan with Nuncomar to take possession of them as soon as they arrived, and through them govern the country. Price too speaks of Clavering's being visited as soon as he arrived in the river, by an old and silver-headed sage of his former acquaintance. (Fowke.)

and on 11th January 1775, Hastings turned him out of his house and forbade him ever to come again. Sir J. Stephen seems to doubt that these things occurred before Nanda Kumar brought his accusations, for he says (I, 211 note) "By Nanda Kumar's own account this preceded and was the cause of, Nanda Kumar's accusation of Hastings." But Hastings himself admitted in evidence that he had dismissed Nanda Kumar from his house, and of course this must have been before the accusation, for Nuncomar would certainly never have ventured near Hastings' house after the 11th March.

But besides this, there is a letter of Hastings dated 25th February 1775 and consequently more than a fortnight before Nanda Kumar stood forth as his accuser which shows how bitterly Hastings felt towards him. "Nanda Kumar, whom I have thus long protected and supported, whom, against my nature, I have cherished like a serpent, till he has stung me, is now in close connexion with my adversaries and the prime mover of all their intrigues, and he will sting them too, or I am mistaken, before he quits them. I have expelled him from my gates and while I live will never re-admit him, yet I will support his son, and the arrangements formed at the city, (Murshidabad) till the Company's orders empower others to undo them. I hear that this also is intended by the majority, and at his instigation."

The fact is, as Nanda Kumar himself said, that he was driven to accuse Hastings. It seems that the latter had long meditated his ruin, and was consulting with Mohan Prasad and Jagat Chand. Jagat Chand was Nanda Kumar's son-in-law but was evidently bitterly hostile to him. His intimacy with Mohan Prasad may be inferred from Nanda Kumar's letter and also from a passage in Mr. Durham's evidence, (1073) where he says that he was shewed the forged bond to Mahabat Mitra in the presence of Jagat Chand and Mohan Prasad. His hostility to Nanda Kumar is proved by Nanda Kumar's letter and may also be inferred from a letter of Hastings written as far back as April 1772. Jagat Chand was [illegible] Gunga Das or at least [illegible] and Hastings writes that Nanda Kumar's son-in-law [illegible] Das and Jagat Chand) were [illegible] (Gleig I, 112).

Sir J. Stephen says [illegible] Nanda Kumar [illegible]

[illegible]

between Nanda Kumar and Hastings [illegible]

[illegible]

dislike him, although I countenance and employ him." Again, in March 1774, he writes of Nanda Kumar's crooked politics, and of his being at a loss to discover the secret springs which govern his mysterous conduct. Accusations such as Nanda Kumar brought against Hastings also grow from deep roots, especially if we hold with Sir J. Stephen that they were based on fraud and forgery. If for instance Mani Begam's letter was not genuine (I myself have no doubt that it was genuine) time must have been required for forging her seal, &c., But there was nothing either in Nanda Kumar's charges, or in the forgery prosecution, which required more than the preparation of one or two months. If Mohan Prasad was having interviews with Hastings in January or February 1775, he had plenty of time for arranging with him to bring the charge in May. I do not dispute that Mohan Prasad and Hastings concocted the charge, or at least talked about it months before it was brought. All I contend is, that there was no attempt at a prosecution in March 1774, nor any attempt, in the sense of an overt act, till April or May 1775. It is not at all necessary to my case to suppose that the idea of prosecuting did not occur to Hastings till March 1775. It would, of course, take some time for Mohan Prasad to suborn witnesses, but I should think that a month or a month and a half would suffice for this. After all he got very few, and the case, as Sir J. Stephen admits, was badly prepared. This points to a hasty prosecution got up after Nanda Kumar had brought his charges, and after it did not seem likely that the conspiracy case would be successful or would lead to a sufficiently severe sentence. One witness for the defence, Manahar Mitra (1035) deposed, that three days before Nanda Kumar was committed, and consequently on May 3rd, 1775, Mohan Prasad offered him Rs. 400 or Rs. 500 if he would say that the jewels bond was in his hand-writing. This witness was a man of some position, for he was a Government officer, and his statement about Mohan Prasad's showing him the bond was confirmed by Mr. Durham. (1039) Mohan Prasad also admitted (1048) that he had told Manahar that if he would bring the man who wrote the bond he would give him money.

(To be continued.)

H. BEVERIDGE.

On reading again Burke's speech, I perceive that the words "his ancient rival for power" refers to Mahomed Reza and not to Hastings.

H. B.

Appendix A.

[illegible]

1. I, 10. "Mir Jafar was a miserable creature." [illegible] fair description. [illegible] says that he was [illegible] his master Aliverdi Khan as a brave commander, but that he was [illegible] in the administration of government.

2. I, 11. The diwani was granted to the Company, [illegible] Lord Clive [illegible]. This was Clive's *third* visit, and he had landed at Calcutta [illegible] months before the grant of the diwani.

3. Idem. Speaking of the [illegible] the grant of the diwani (1765-72) [illegible] a watch upon [illegible] the appointment of [illegible] pensions [illegible] that, according to Hastings [illegible] (Gleig I, 234 and [illegible]) [illegible]

4. I, 22. [illegible] the character of Hastings [illegible] Hastings was [illegible] have [illegible] speech. In fact, [illegible] that Hastings [illegible]

5. I, 23. [illegible]

6. I, 24. [illegible]

7. [illegible]

8. [illegible]

9. [illegible]

10. [illegible]

Francis was Secretary to Gen. Bligh on the expedition against Cherbourg, and that he was for nearly a year at Lisbon as Secretary to Lord Kinnoul.

11. I, 30. "Clavering was rash and violent to the last degree, and extremely pugnacious. Before leaving England, he wanted to fight the Duke of Richmond." Now it is true that Clavering wanted to fight the Duke, but Sir J. S. should have told the whole story. The Duke was very vehement "but the newspapers often attributed to him more than he said. Some reflections on General Clavering's character, supposed to have been delivered by the Duke, produced a challenge from the General. The challenge produced a disavowal of the words." In a note (idem) Sir J. S. refers to a curious history of Clavering's refusing to fight a certain resident at Serampore. The person in question was a Count Donop, and he was at Chandernagore not at Serampore. Clavering declined a visit from him on the ground that he had known about him when he was at Hesse Cassel and that he considered that he had acted an ungentlemanly part in accepting an unauthorized commission to make inquiries at Hamburg—in fact that he had been a spy. Donop wanted to fight Clavering for not receiving his visit, &c., and M. Chevalier tried to make out that Donop had done nothing dishonourable in Europe, but Hastings and the rest of the Council quite approved of Clavering's conduct in the matter.

12. I, 31. "Of Monson there is still less to be said," *i. e.*, than of Clavering. Col. Monson was at least a brave soldier. He commanded at the siege of Pondicherry in 1760, and led the grenadiers when they successfully carried the bound hedge. He was wounded by a discharge of langrain, (langrel?) a piece of iron breaking both the bones of his leg. It was this wound which compelled him to make over the command to Col. Coote.

13. I, 32. Sir J. S. misquotes, *passim*, the title of Dr. Busteed's delightful volume. "Echoes from Old Calcutta," and he is wrong about there being a mistake in Hickey's anecdote. Whatever it is worth, it is clear that Clive's remark (supposing him to have made it) was about Hastings. Clive had, on the whole, a poor opinion of Hastings, and I have never heard that Barwell had a reputation for seducing the wives of his friends. Hickey's comment clearly refers to Hastings' marriage.

14. I, 38. Nanda Kumar was "appointed by the Company to be Collector, in the place of Hastings, of Bardwan, Nadiya and Hugli." Nanda Kumar was appointed by the Committee and not in place of Hastings, but before the latter had been offered the Residency. Hastings' grievance was that Nanda Kumar was allowed to collect the old balances. He got a commission of 2½ per cent. I believe, on the collections and hence felt injured.

15. Idem. "In 1765 Nuncomar obtained the place of Naib Subah or deputy Nabob of Bengal under Nujm-ul-Daula, who was appointed titular Nabob by the Company after Mir Cossim's expulsion." Here Sir James Stephen confounds Najm-ad-Daula with his father Mir Jafar. Mir Jafar was made Nabob on Mir Qasim's expulsion and remained so till his death in February 1765. Nanda Kumar was his diwan. When Najm-ad-Daula succeeded, he appointed Mahomed Reza, Naib Subah. Afterwards he tried to get Clive to appoint Nanda Kumar, but Clive would not. In the Board's proceedings for June 1st 1765, there is a letter from Najm-ad-Daula complaining that he has been obliged to make Mahomed Reza, Naib, and requesting that he may be allowed to keep Nanda Kumar.

16. Idem. Note 2, perhaps by a printer's error, refers to a correspondence in 1758 as concerning an appointment in 1765.

17. I, 40. "Mahomed Reza Khan was acquitted and the office he had held was abolished. Nanda Kumar was, however, rewarded for the services he had rendered, by the appointment of his son Rajah Goordas to the office of Diwan to the household." There is an anachronism here. Gour Das got his appointment in July 1772, and Mahomed Reza was not acquitted till 1774.

18. [illegible] note. [illegible] grant the [illegible] to the Company [illegible] The [illegible] was [illegible] with [illegible] Hastings [illegible] in 1772 when the Company [illegible]

19. I, 42. In what sense was [illegible]

20. [illegible] "Of all the provinces of the [illegible] Bengal, and [illegible] he was [illegible] (Covenanted) [illegible] most degraded part of that unhappy province." Sir James [illegible] climaxes are not exactly Macaulay's. What was the [illegible] degraded part of Bengal? Was it [illegible] In a note on the preceding page (5) there is a [illegible] Macaulay's description of Bengal in general and of [illegible] in particular ("What the Italian is, etc.) Sir James [illegible] that Macaulay having somewhere remarked that [illegible] effeminacy, "Nuncomar therefore [illegible] or [illegible]" and [illegible] to prove that [illegible] was [illegible] (Sir J., [illegible] I 195.) [illegible] Macaulay [illegible] referring solely to [illegible] character.

21. I, 44. Macaulay has a paragraph [illegible] of the Council [illegible] reforms on the [illegible] Sir James Stephen says that he does not [illegible] Macaulay [illegible] however, are merely a paraphrase of [illegible] Hastings [illegible] [illegible] Sir James Stephen [illegible]

22. I, 45. Sir James Stephen says that Hastings [illegible] to the Council [illegible] been deceived [illegible] Hastings [illegible] introduced [illegible] to Clavering.

23. I, 52. [illegible] James Stephen [illegible] He says that [illegible] the charges [illegible] [illegible]

[illegible]

25. I, 75. Sir James Stephen has here fallen into the egregious error c thinking that Hastings' letter of March 27th 1775, was Macleane's authorit for tendering Hastings' resignation. Macleane got his instructions verball See Gleig II, 88, and also the Court of Directors' letter of December 23r 1778.

26. I, 102, note. Sir James Stephen blames the Councillors for writin that Mr. Barwell declined prosecuting, and says that he was bound over t prosecute. It would have been well if before contradicting those who wer likely to know the facts, Sir James Stephen had referred to the report of th trial, and especially to Barwell's own words. Hastings and Vansittart onl were bound over to prosecute. (1093) Barwell says, (1204) "I neithe asked bail nor was bound over to prosecute." No doubt he did prosecut eventually, but the fact remains that he was not bound over.

27. I, 103. Sir James Stephen says that the statement of the Councillo that Nanda Kumar did not drink water for eighty-six hours is absolutel denied by the jailer, Yeandle. He must have unusual ideas of a contradi tion. Yeandle's affidavit is given in Impey's Memoirs, and according to i all he saw was that Nanda Kumar's servants took water to him. He do not say that he saw him drink, and it is possible that the water was f ablution.

28. II, 26 Col. Fullarton quoted a Farman of Shah Alam of 1764. S James Stephen appears to doubt its existence and says—"This is not i Aitcheson's Treaties." It would be extraordinary if it were not there, for is given at full length by Verelst and Bolts and is well known. Its date 29th December 1764. In fact, however, it is in Aitcheson, though not in th first volume, beyond which presumably Sir James Stephen did not prosecu his researches. He will find it in Aitcheson's second volume, p. being placed there, because it primarily relates to Ghazipur in the N.-W. and not to Bengal. It is also to be found in vol, vi, p. 8 of the revise edition of the Treaties by Talbot.

29. I, 55. "Touchet, afterwards the leader of the agitation against tl Supreme Court, sat on the jury." Sir James Stephen goes on to say th this is a point of the first importance. Perhaps it might be so, if it we correct but it seems to me that Sir James Stephen, like myself on a form occasion, has been misled by Impey. The juryman was Samuel Touche and the petitioner to the House of Commons was John Touchet, h fellow-petitioner being John Irving.

30. II, 211 and 253. "Naylor, the attorney for the Zemindar." All th authorities speak of him as the Company's attorney, and he was so in fa though he said that he also looked upon the Rajah of Kasijora as his clien Impey flung him into the common gaol at Calcutta and kept him there f more than a fortnight. He had then just lost his wife, and this, with tl confinement, probably hastened his death, which occurred in the followi August Impey had the hardihood to write of him as "my poor Naylor and to lament his death !

31. II, 251, note. "The word "alguazil" is, of course, used to give th bailiffs of the Supreme Court a kind of flavour of the inquisition." Liter ture is not Sir J. Stephen's strong point: Macaulay found his alguazils Gil Blas.

32. II, 256. For note on the "Lucknow affidavits," see Appendix C.

Appendix B.

Baron Imhoff.

As Sir James Stephen has tried to whitewash Impey, and Sir Lou Jackson thinks that he has succeeded, I feel emboldened to try my han

in whitewashing Baron Imhoff. I really think that he is the more promising subject of the two. The damaged surface is more extensive, and the coating of *[illegible]* is more likely to be weatherproof. I do not pretend that I can show him to have been a good man, but I think I can undertake to prove that he was not quite so bad as he has been represented.

Sir James Stephen says (I. 28) "Hastings' conduct with her (Mrs. Imhoff) is not creditable to his memory. He seems to have bought her from her husband. This man had the meanness to live with her first at Madras and afterwards at Calcutta, whilst proceedings for a divorce were going on in the German Courts. When the divorce was obtained, Hastings married Mrs. Imhoff and sent Imhoff back to Germany with £10,000 as the price of his favour."

I believe that there is no authority [illegible] for the statement that Imhoff received £10,000 from Hastings [illegible] and Sir James does not refer to any other source of [illegible] the brother-in-law of Hastings, [illegible] December [illegible], that he had paid [illegible] part of the £5 [illegible] Hastings had drawn [illegible], and, that he would pay the remainder [illegible] and that the other £5,000 would be paid when it was due. [illegible] have been partly for [illegible] portrait of Hastings [illegible]

[illegible] He came out [illegible] there as long as [illegible] latter part of [illegible] In Madras [illegible] Hastings. In [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

extraction, for her maiden name seems to have been Marian Apollonia Chapusetin. Francis calls her Madame Chapusetin, and I gather from two letters of Hastings, (Gleig, vol. 3, pp. 439-40) that Chapusetin * was the name of a nephew of Mrs. Hastings for whom a Colonel Toone got a cadetship of cavalry. From a letter at p. 387 of the same volume, we learn that Mrs. Hastings was visited in 1803 by her mother: "She leaves me to day, writes Hastings, with her venerable mother, who purposes, as soon as she has got passports, and a conveyance, to return to her own very distant home. This will be to both a most afflicting period." The words "very distant home" are some confirmation of the Archangel story. In the same letter (p. 388) Hastings refers to his and Mrs. Hastings' going up to town to get passports for Madame Chapusetin, evidently meaning thereby Mrs. Hastings' mother. The fact of Mrs. Hastings' name being Marian Apollonia appears from a deed of sale dated 10th May 1785 and preserved in the Hastings M.S.S. It is a conveyance, in which Mrs. Hastings took part, of 56 bighas of land at Alipore to a Mr. H. G. Honeycomb for Sikka Rs. 7,500.

Appendix C.

Note on the "Lucknow Affidavits."

It appears from Sir Elijah Impey's own account of the matter (Stephen, II, 261-2) that his chief motive for going to Lucknow was to urge Middleton, the Resident "to see the treaty of Chunar carried into execution." Hastings, it seems, was apprehensive that the mildness of Middleton's temper would prevent him from putting sufficient pressure on the Nawab to compel him to ill-treat his mother and grandmother! How little ground there was for this apprehension, or how well he was schooled by Impey, is shown by Middleton's letter of January 20th, 1782, to the British officer who had charge of the Begam's servants, and by the still more famous, or infamous, letter written by the Assistant-Resident and which is quoted in Macaulay's essay. I do not think Impey's explanation improves matters. It might conceivably be the business of a Chief Justice to take the affidavits of British officers in Lucknow when they could hardly take them before one another, and there was no other legal authority available; but what had the Chief Justice to do with preaching severity against unhappy women? The task required of them was so odious, that neither Middleton nor the Nawab, neither the Christian nor the Muhammedan liked to undertake it, and so the Chief Justice of the Supreme Court goes post from Chunar to Lucknow "with great expedition, travelling day and night" in order to keep them up to the mark. Sir J. S.'s defence of this episode in Impey's career seems to me lame in the extreme. He says (II, 267) that Impey was "at the very worst a little officious," but this is only another way of putting Macaulay's view that he intruded himself into a business entirely alien from all his official duties—words which are included in a passage described by Sir J. S. as one in which "every word is either incorrect or a proof of ignorance." Impey went to Lucknow a few months after he had become Judge of the Company's Court, and Macaulay is therefore justified in saying (in the passage above referred to) that he had been recently hired. His conclusion seems equally just, that Impey's object in undertaking so long a journey was "that he might give, in an irregular manner, that sanction, which in a regular manner he could not give, to the crimes of those who had recently hired him." We know from Hastings' Narrative (54) that the suggestion of taking affidavits came from Impey.

Sir J. Stephen says (II, 269) that he will shortly notice Macaulay's

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† Probably a misprint for Chapusetin.

mistakes, but I think he introduces some of his own into the [illegible]. (1) He says "Of the 43 affidavits (generally called the "Lucknow [illegible]") [illegible] only mention the Begams, and that [illegible] the Benares" [illegible] contents of the affidavits strongly [illegible] Impey's account of the reason why they were sworn. Their main object is the affair of Cheyt Singh and the operations against him. The Begams are referred to [illegible] and incidentally." How does Sir J. S. know that all the affidavits taken by Impey in Lucknow were published by Hastings in the Narrative? It is one of the insurrection in Benares and of the transactions of the Governor-General in that district. It is not a narrative of the proceedings against the Begams or their servants, and it was begun at Chunar, September [illegible] 1781, that is some two months before Impey joined Hastings. It is true that the Appendix to the Narrative contains affidavits sworn before Impey in November and December 1781, but no one of them mentions the place where it was taken, and there is no allusion in the Narrative or Appendix to Impey's visit to Lucknow. It seems to me that the fact of the visit was carefully suppressed.

(2) Sir J. S.'s remark that only ten affidavits were on the Begams is altogether misleading. He says that there are 43 in all [illegible] sworn before Impey, and appears to wish his readers to infer that only one-fourth part [illegible] of the "Lucknow affidavits" mention the Begams. He has, however, omitted to notice, or at least to tell us, that more than half of the affidavits which he has included under the designation "Lucknow affidavits" are not Lucknow affidavits at all. They are about affairs in Benares, &c., and must have been taken by Impey at Benares, Chunar and Buxar. Their dates show that they were not taken at Lucknow, for Impey was there only three days, as Sir J. S., quoting Impey, tells us (II, 2[illegible]3). The [illegible] and [illegible] November must have been two of these three days, for on [illegible] Hastings [illegible] stationed at Lucknow [illegible]. It was also stated by Impey in his [illegible] Hastings' trial, that he arrived at Lucknow on 25th November. He left it on the [illegible] was at Lucknow three or four days. [illegible] and in December, cannot have been taken by Impey [illegible] visit to Lucknow [illegible] deponents were. [illegible]

(3) The [illegible]

conclude that Impey took in Lucknow, many affidavits which are not in the Appendix. This view is supported by Mr. Impey's "Memoirs" where mention is made of an affidavit by a Captain Wade which is not given by Hastings.

(4) Sir J. S says that Macaulay "substituted a false premiss for one which was half true, in order to suggest a conclusion wholly false, namely, that Impey was unable to read the affidavits." This is strong language and I do not believe it justifiable. The only evidence of falsity given by Sir J. Stephen is, that Macfarlane states that Impey knew Persian, but Sir James should know that a man may have a good knowledge of Persian and yet not be able to read the written character. Mountstuart Elphinstone knew Persian but could not read the written character. (History of India, 479.) I have met with no evidence that Impey was able to read a Persian M S., and it is highly improbable that he could do so. Macaulay's remark that Impey could not read the affidavits may thus be perfectly justifiable.

(5) Another line of defence taken by Sir J. S. is, that there was no necessity for Impey's reading the affidavits or knowing anything about them. This is, I think, a singular defence. Granting that a Commissioner need not know anything about the contents of an affidavit, that he need not inquire if the deponent understands it or the language in which it is written, why did Impey travel to Lucknow to do clerks' work? If Middleton or Hannay could have done it as well or indeed better, for they had local knowledge, what was the reason for the appearance of the Chief Justice on the scene as a Commissioner? Sir J. S.'s remark that the Chief Justice's attestation did not make the affidavits legally any better, smacks of the mere practising lawyer, a character for which Lord Macaulay once said that he had a profound contempt. Who thought of legality in the matter? Hastings was not seeking for legality; he wanted a screen for his acts, and he found it in the Chief Justice whom he had lately hired for £8,000 a year.

(6) Macaulay says that Impey acted altogether out of his jurisdiction. Sir J. S. says, this is "not quite correct." Does he mean that Impey had jurisdiction?

(7) Impey did not himself always hold the view contended for by Sir J. S. that the taking of an affidavit was an affair of no importance. In the decision on the claim of Radha Charan to the privileges of an ambassador, after saying that Radha Charan's affidavit was scandalous and flagitious, he added (1129). "If I again see an affidavit of this nature, sworn by a native, we will inquire who drew the affidavit, and the Court will animadvert most severely upon him: it is not to be endured, that the consciences of the natives, swearing in a foreign language, should be thus ensnared." The affidavit in question was that sworn before Mr. Justice Hyde (1108) and which is shown by another (1142) sworn before Impey, to have been drawn by Farrer and Jarret. Impey's language implies that he considered it his duty to comprehend affidavits.

There is a palpable inconsistency in Sir J. S. line of argument. He defends Impey on the ground of his willingness to take responsibility, and to help the Governor-General in a difficulty, but if the taking of affidavits was a mere form, and Impey did nothing which a clerk could not do, where is his merit? Admittedly he went out of his way—he was "officious," to use Sir J. S.'s own word, and the only way in which he can be justified is by showing that he did something really important. He cannot be vindicated for going to Lucknow on the ground that he was actuated by a courageous public spirit to take responsibility and to help the Governor-General, and also on the ground that what he did was of no consequence.

ART. VI.—EGYPT

IS IT WORTH ANNEXATION? WOULD IT ADD TO THE STRENGTH OF THE ENGLISH EMPIRE?

IN the year 1858 I visited Turkey to observe the mode of administration of subject provinces, and I published the results in volume XIX, No. 38 of this Review for the year 1858. I again visited a portion of Turkey, both in Asia and Europe, in 1884, and travelled for several weeks in another portion at the commencement of the year, (1885) and also made a careful survey of Egypt from the sea to the first cataract, from Suez and Port Said to Alexandria. I have read a great deal of contemporary literature both in the English and French language on the subject: some of it is entirely worthless, some extremely valuable, yet indicating that the writers had exceedingly small conception of the nature of the problem presented in the administration of a province, a matter so simple to an Anglo-Indian who had been doing nothing else all his life.

I had an interview with the Ex-Khedive Ismail, before I started. His Highness was courteous and communicative, and talked freely in French in the presence of several persons who were present and followed our conversation. He suddenly asked me whether I knew the Turkish or Persian languages: on my replying in the affirmative with regard to the last, he said in Persian: "In your opinion is there any hope for Turkey?" I replied at once that there was not. After a pause, he asked, whether I considered there was any hope for Egypt. I replied frankly, that there was great hope [illegible] he seemed disappointed [illegible] It may have been [illegible] His career as a Ruler has ended.

Although [illegible] of Egypt [illegible] financially or [illegible] as a matter of [illegible] of the Turkish [illegible] Crimean war of 1854 [illegible] of its territory [illegible] Asia [illegible] of the war of 1877 [illegible] Austria of B[illegible] Herzegovina [illegible]

England, the enlargement of the northern frontier of Greece, the independence of Northern Bulgaria and Montenegro, the autonomy of Southern Bulgaria or Romelia, the annexation of Kars and Batúm by Russia. Then followed the boambardment of Alexandria, and practically the conquest of Egypt by England, eventuating in the shrinking of the Southern frontier of the Turkish Empire to the second cataract.

Nor have the Rulers of the contracted Empire become wiser, but the contrary. Sultans have been deposed by palace intrigues, in which the eunuchs play a chief part, and one Sultan has been murdered. The reigning sovereign feels that any day his lot may be the same, that he may have the choice of the poisoned cup of coffee or the dagger if he ventures to strike out a path of his own. The influence of the Ulems and the Mahometan party is such, that nothing but an entire destruction of their political power would be of any use: *Delenda est Carthago.* I can remember the same thing happening in the Panjab: there were those who would have maintained a Sikh kingdom. When it fell, it was found how easily the country was governed: the sting was taken out of the insect: the religious establishments, their laws, their prerogatives, and the nuisance arising from them disappeared at once and for all time.

The radical fault of the Turkish system is not so much its wickedness as its inefficiency: to be vigorous it has no other expedient but to be cruel: then comes an outcry: no official is sure of his position, and no one dares to suggest, or cares to carry out, a reform. Each one makes hay while the sun shines. The absolute non-existence of equitable notions aggravates the danger. According to Turkish ideas, the Mahomedans were designed by providence to rule, and the Christian to be squeezed for money, and supply women for the harems. The very existence of a class of eunuchs is an anachronism in Europe and a shame: the fact that slaves are still imported and slavery tolerated, at one puts the Empire out of the category of civilised nations. Notwithstanding that there is more religious tolerance in Turkey, and less Police vexation, than in Austria-Hungary, still there can be no doubt that Turkey does not deserve to exist, and only enjoys a respite till it can be settled who are to succeed to the inheritance.

The indebtedness of the Empire is notorious: a Turkish bond is synonimous with a worthless possession. All the promises, the tanzimat, and the new orders, are mere paper-display. *Quid leges prosunt sine moribus?* The palaces which line the Bosphorus, tell of a plundered and ill-used people, without the semblance of decent forms of government; nor out of the existing material could any new system be created. The Turks

are good soldiers, but there are no officers. The subject races are as tractable and peaceful as those in India; but some consistent and intelligent administration, superintended by honest men, is required. If any thing is worse than the Turk pure and simple, it is the Circassian and Tartar who have immigrated from the Russian dominions: if any thing is worse than them, it is the Christian renegade who has worked his way to power, or the Greek and Armenian adventurers, who find it worth their while to side with their natural enemies.

Let us now consider what hope there is for Egypt, the valley of the Nile as far South of the second cataract, and its appurtenances in the Syrian or Libyan deserts. It was remarked by Sir George Campbell in 1876 in his volume upon Turkey, "We do not want Egypt for our share. We have been forestalled by the bondholders, the country is too deeply pledged "to be worth any thing to any body." This is the thesis which we propose to argue and demonstrate. As the bondholders were the creation of the Ex-Khedive Ismail, and the bondholders weigh down the country, it follows that Ismail has been the ruin of Egypt, which he received unburdened from his predecessors.

I was present in Lord Hardinge's camp before Lahore in 1846, when it was determined to annex the Cis and Trans-Sutlej States, and again in 1849, when it was determined to annex the remainder of the Panjab. I was cognizant of all the details that preceded and followed that great measure. A lapse of nearly forty years has proved that the men of that time knew what they were about: the result has justified the policy. For twenty years I was [illegible] up in it, and knew the reasons which [illegible], the great dangers which in the early [illegible] before us, and the firm and steady [illegible] through it. [illegible]

[illegible]

interest were now both gone to the same place as the loans taken up by the confederate States of North America. If any such organ as the *Boshpore*, had had the boldness to appear, the editor would have been sentenced to be kept *sine die* in the police lockup. If any French consul had remonstrated, he would have been chucked into the Sutlej. In ruling conquered provinces there can be no half measures, no signs of weakness, the iron hand must be there, though covered with a velvet glove. Thus there are circumstances upon the very threshold which would render a good administration of Egypt impossible.

Suppose, again, that when we were settled in the Panjáb, the Amir of Afghanistan had put forward rights of a suzerain Amir, and as a representative of Timur and Nadir Shah and Shah Zeman, former sovereigns, who undoubtedly had conquered and occupied the Panjáb, had claimed a large annual tribute, I can imagine the twinkle in John Lawrences' eye, while the claim was being made, and the laconic order suggesting that he should come and fetch his tribute, and the moral lesson read to the Amir, that state revenues were only levied from a people for the purpose of a good administration, and that British India paid no tribute to England. One necessary condition precedent of good government in Egypt would be, that the telegraph and postal communications between England and that country should be totally interrupted for one year at the least. The most successful and most daring Indian administrator would fail in any attempt to govern Egypt under its existing circumstances. Let us think out this subject.

If any one wished to build a bridge or a house, or buy a horse or an estate, he would consult a person who had experience in that particular duty. The opinion would hardly be solicited of the Knights Errant who are picked up by chance by the managers of the London daily papers, and sent out as reporters. Mr. Power, who was sent out to the Soudán by the *Times*, may have been a good and gallant fellow, but he was totally unacquainted with the country and the subject matter The pernament reporter of the *Times* was clearly a malcontent No issues of the *Boshpore* did such mischief, or were so hostil to the true welfare of England, as the letters of the *Time* correspondent from Egypt in 1883 and 1884. When I reache Cairo last January, I called for the *Boshpore*, and was surprise how tame its abuse seemed after the abuse of the *Times* corres pondent, and how really wise and well informed it seeme after the unwisdom and ignorance of the same individual.

My own qualifications for writing are just these: I had abo a quarter of a century to take part in the administration of co quered provinces,—and many years in entirely newly conquere provinces, passing though the shifting scenes of war, annexatic

revolt and rebellion, dealings with finance [illegible] of law, prisons, police, and settlement of land revenue. Having a taste for the thing, I visited Turkey more than once, and Algeria and Russia South of the Caucasus to see how things were managed there, and contributed during the last thirty years notices of what I saw to the pages of the *Calcutta Review*. I had known Egypt since 1843, when I resided in Cairo a month, in the time of the grand old Pasha, Mehemet Ali, and read there the whole Koran in Arabic. I had kept up my interest in Egypt ever since, having repeatedly passed through it and read all books upon it, including the blue books and the reports of Lord Dufferin, Lord Northbrook, and Sir E. Baring. As stated above, in January last, I traversed the whole of Egypt. I was at the first cataract when the news came of the victory of Abu Klea, and the troops having reached the Nile south of Metemneh. I was at Cairo when I read in the telegram in Shepheard's Hotel of the fall of Khartum. As may be supposed I heard a great many opinions. Armed with a letter from Lord Granville I had interviews with Baring, Nubar Pasha, [illegible] shank. I looked into the jail in the town, and the great central jail some little way out. I looked into the courts of justice and talked with the judges. I saw police courts [illegible], and marked the ways of people in the [illegible]. I never heard a harsh word spoken [illegible] listened to a bitter cry of [illegible] one. I have lived long enough [illegible] in by them, and yet [illegible] plenty of time during my [illegible] time to think out the problems and [illegible].

My remarks will group themselves [illegible] heads:—

A. [illegible]
B. The Revenue
C. The Judicial system
D. [illegible]
E. The Canals and [illegible]

[illegible]

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revolt and rebellion, dealings with finance, courts of law, prisons, police, and settlement of land revenue. Having a taste for the thing, I visited Turkey more than once, and Algeria and Russia South of the Caucasus to see how things were managed there, and contributed during the last thirty years, notices of what I saw to the pages of the *Calcutta Review*. I had known Egypt since 1843, when I resided in Cairo a month, in the time of the grand old Pasha, Mehemet Ali, and read through the whole Koran in Arabic. I had kept up my interest in Egypt ever since, having repeatedly passed thought it and read all the books upon it, including the blue books and the reports of Lord Dufferin, Lord Northbrook, and Sir E. Baring. As stated above, in January last, I traversed the whole of Egypt. I was at the first cataract when the news came of the victory of Abuklea, and the troops having reached the Nile south of Metamneh. I was at Cairo, when I read in the telegram in Shepeard's hotel of the fall of Khartúm. As may be supposed I heard a great many opinions. Armed with a letter from Lord Granville, I had interviews with Baring, Nubar Pasha, Amos, West and Cruickshank. I looked into the jail in the town, and the great central jail some little way out. I looked into the Courts of Justice and talked with the judges. I saw police courts and schools, and marked the ways of people in the towns and in the villages. I never heard a harsh word spoken or saw a blow struck, or listened to a bitter cry of anguish, or a groan of an oppressed one. I have lived long enough among orientals not to be taken in by them, and yet not to overlook signs of tyranny. I had plenty of time during my long tedious rides in Syria and Palestine to think out the problems and digest my information.

My remarks will group themselves under the following heads—

A. The personel of the administration
B. The Revenue
C. The Judicial system
D. The Police and the Jails
E. The Canals and Roads
F. Education
G. The Constitution
H. The Financial state
I. Taxation of European Aliens

Egypt is like a palimpsest, the older writing is read through the new. The state of things which we see around us tells the tale of the long miserable centuries of misgovernment, through which the unhappy country must have passed. When people, with imperfect information, speak slightingly of the English system of government in British India, and of the French system in Algeria, both of which I have carefully studied on the spot, it would be well for them to reflect upon the state of a people left to the tender mercies of an alien Asiatic Power. Egypt at least had religious liberty; the existence of the Copts with their churches and convents proves that.

Those great abuses, with regard to which there have been so much frothy declamation, the Corvee, or forced labor, the Courbash, or whip, and the corruption of the police and judicial underlings, are by no means the peculiarity of Egypt. Laudable progress has been made in suppressing all these abuses in British India, and in Egypt a great deal has been done to abolish or mitigate them.

Forced labour is necessary to clean the canals upon which the prosperity of the country depends. To the apathy and want of independence of the people must be attributed the use of the whip; there would be no corruption, if there were not those who have an interest to corrupt. I am not singular in my opinion that the people are *not* oppressed; the petty tyrant is generally their one headman, one often of their own family, or neighbours, and not necessarily a paid servant of the State.

A great clamour is raised about the loss of the Equatorial of Provinces: I knew Egypt before she had conquered them. Egypt is complete in itself North of the first cataract; if its boundaries are extended as far South as Wadi Halfa or the second cataract, no harm will arise; but any futher extension will ever be accompanied by danger and profitless expenditure. It was amazing to hear and read about the Mahdi invading Egypt: the long trench of the Nile presents no facility to the invader, and with all the appliances of modern civilization. we know how difficult we found the route to Dongola. Egypt has often been invaded from the East and the West and the North, but rarely, if ever, from the South. It is to the good fortune of Egypt that it has shaken off the Southern Provinces, and the greatest blessing to England, that Khartum was not relieved. The census of Egypt Proper gives a population of six millions eight hundred thousand souls, about 201 to the square mile; of these 246,000 are Nomad Bedúin of the desert, and 90,000 are domiciled aliens. There are two cities, Cairo and Alexandria, with a population of 375,000 and 213,000 respectively: six towns of second magnitude, 113 market towns, and 3,389 villages. The towns are Tanta, with 60,000 inhabitants, Zagazig with forty thousand, Assiout with twenty-seven thousand eight hundred, Damanhir with twenty-five thousand: Kennek with thirteen thousand. Those who have had to deal with the twenty millions of India and their lordly cities, can smile at a problem of such insignificant proportions. Such a province as Egypt, if adjacent to India as Sindh and British Burma, would be annexed without difficulty and administered with little expense.

The province is very compact and accessible, as it is permeated by the great navigable stream of the Nile. How

different are the circumstances of Syria and Asia Minor! The oases are like insular dependencies of the main province, *as the Isle of Skye is of a Scotch county.* They are worth £10000 per annum, but are not readily accessible. The peninsular of Sinai is a dependent province as Aden is of Bombay. For purposes of administration Egypt Proper is divided into three great sections, Lower, Middle and Upper Egypt which again are divided into eight special City Governorships, and fourteen prefectures in Lower Egypt Behera, Gizeh Galioubieh, Charkieh, Menoofieh, and Dakhalieh. In Middle Egypt, Benisouef, the Fayum and Minieh. In Upper Egypt Assiout Girgheh, Kenneh, Cosseir and Esneh. These again are subdivided into arrondissements or districts and these again into communes or cantons each of which includes several villages. Over each of these subdivisions great or small there is an official. In all these details we recognize the well known features which are prominent in any organisation of territorial rule. The first thing that we did when we annexed the Punjab was to trace out on a map the boundaries of the divisions districts and subdivisions, and count up the towns and villages. The absence of mountains and streams, the total non-existence of a local aristocracy, of castles of forests, of mines, the gentleness, docility, and industry of the people habituated by the tradition and practice of centuries to live on the verge of starvation without manufactures or education, only religious in a very mild form: these are singular phenomena rendering an easy and administration very easy. Lord Dufferin in his report calls attention to considerable infiltration of Turkish foreign races which has been going on from time immemorial whose descendants are as much Egyptian as the rest of the population, and yet are very different in character. And according to the same authority (who however could have no information which was not gleaned from others and therefore we cannot test the value of their evidence) there is a hope for improvement in the mental mass of the Egyptian peasantry. I quote a really beautiful passage beautiful both in sentiment and expression. I only wish that I could believe in its truth:—

"The metamorphic spirit of the age as evinced by the "inventions of science intercommunication and other invigorating influences have already done something "to inspire the Egyptian rustic with the rudiments of self-"respect, and a dim conception of hitherto unimagined possi-"bilities. Not like his own Memnon has he remained unre-"sponsive to the beams of the new dawn. His lips have trem-"bled if they have not articulated and in many a direct and "half unconscious ways, he has shown himself not only equal "to the discharge of some of these functions, of which none

"but members of the most critical communities were thought "capable, but unexpectedly appreciative of his legitimate "political interests and moral rights."

It goes without saying that the Egyptians are totally unfit for the higher posts of government, much more so than the people of India, and that they could not be safely employed in the lower positions without close supervision of a higher race. The Turks and Albanians, who were introduced by Mehemet Ali Pasha, were unquestionably of a stronger and nobler race, but totally unskilled in the art of rule, rapacious and unprincipled. The introduction of Europeans was therefore desirable, but not in such large numbers, with such excessive emoluments and insufficient selection. Owing to the jealousy of European nations, many appointments have been most unnecessarily duplicated, and Lord Dufferin admits that the excessive predominance of Europeans was the cause of deep dissatisfaction to the Egyptians. If the country were annexed by England, there would necessarily be an English Civil Service; but if the native government is mantained, it places that Government in a false position to be surrounded entirely by European officials. Long before the rebellion occurred, I had regarded this feature with great dissatisfaction. Lord Dufferin reported that the number ought to be considerably reduced, and, as vacancies occur, gradually withrawn One of the first efforts of the Bulgarian nation was to get rid of the Russian officials. The Native officials resemble, in every respect, the Native officials of India; if handled firmly and sympathetically, they will work well. Their number should be reduced, their emoluments increased, provision made for pensions, security given for tenure during good conduct, and penalties enforced for bad conduct. They are now ridiculously numerous, and scandalously ill paid and untrained, with no security of office. What can be expected? Fortunately for the country there exist the same dualism of Christian Copts and Mahometans that exists in India, in the case of Hindu and Mahometans, and which is such an important element in good government. The number of paid officials is said to amount to 21,000, dividing a wage-fund of a million and a quarter sterling. A strong and wise ruler of the John Lawrence type would soon settle this problem, but it is hopeless for an administration consisting of men, nearly all of whom have a harem, and therefore an infinity of hangers on waiting to be provided for, to grapple with and overcome the difficulty. After the battle of Telal Kabir the Khedive issued a laconic order: "The army of Egypt is disbanded." The same kind of order is required with regard to every civil functionary; in fact, this is what happened when we annexed the Panjáb. The village headmen, and village

accountants held fast, but every other functionary, from the highest judge to the humblest messenger was discharged, and a new order of things arose by a fresh enlisting, upon different terms, of a certain number of the same individuals. As the heirs, the spendthrift and ill-used heirs, of an ancient civilization, there is no doubt that, with careful selection, *good training, and careful supervision, there will be no occasion for foreigners*, except in the highest posts. Everybody is cognisant of the rare efficiency of the native employees in India, but if left to themselves, they would come to grief.

Next comes the question of the land and the land revenue. It makes the blood of a Collector boil with indignation to read *that seventy thousand acres of cultivated land had been taken* up for railways and canals, and yet still stood on the books as assessable area. Let us recollect what care is taken on this important subject in India: it is hard to take up the land, but at least pay for it, and reduce the land revenue. This side glance indicates the utter recklessness and inefficiency of the revenue officials. In the three kinds of land tenure, the experienced *Indian Collector recognizes familiar* phenomena disguised under new names. The Wakf is the abominable revenue free grants, against which I, and the school to which I belonged, waged relentless war for a quarter of a century. The snake is scotched if not killed. The only right of the State to levy a land-tax is, that the money is required for the services *of the State: if, therefore, the land tax is remitted to the owner*, or if the right of levying the land tax on any area is granted to a priest, or a fiddler, or a courtezan, it is a gross alienation of the revenue of the State which causes the burden to press heavier on the rest of the community. Such are the Wakf lands of Egypt, and the Inam and Jaghir of India. They ought to be extinguished. In the *Kharaji* land the *Anglo-Indian* Collector recognizes the ordinary assessable land. In the *Ashuri*, he recognizes the cases of reduced assessments granted for a life, or lives, which ought gradually to be levelled up to the equitable standard of the whole country. The main hope of a country is a moderate assessment made with the owners or resident cultivators, for a long term of years. Lord Northbrook records his opinion that the assessment is not excessive in Lower Egypt, though perhaps it may be in Upper Egypt. The panacea *for Egypt* as also Ireland, would be an assessment made by impartial officers on existing assets for a long period. The assessment of Egypt is unequal in its incidence, and that is a great blot. A considerable reduction *of the demand made wisely*, would eventuate in a vast increase of the cultivated area; for by increasing the area of cultivation, the resources alike of the people and of the State would be

expanded. There seems to be no limit to the power of extending the irrigation, and a grant of a million this year has been a wise policy. There is a power, though a rude one, of raising water to a higher level, there is an industrious and docile population, and a facility of export of sugar, cotton and grain. The time must come when there will be a market for the cereals, saccharines and fibres of Egypt to the East, for Asia must soon wake up in the general revival of nations: Egypt had corn, when all the world suffered from famine.

No one can go up the Nile without being impressed by the wonderous and weird beauty of the scene: it is not the beauty of the lovely Sub-Himalayan districts, which extend in a long chain of park-like prairies from Sealkot, Hoshiarpur and Ambala to Rohilkand and Gházipúr, with their mangoe trees and Mohwa and the snow capped mountains on their flank: it is not the tropical splendour of the districts of South India and Ceylon, with the fan-palm and the date-palm, and the areka palms. The great River Nile, like the Indus in Sindh, flows solemnly, and without affluents on its Northern course, carrying away tons of sand and mould wherewith to create new deltas in the bed of the Mediterranean: the peasant is hard at work with his water wheels and lifting apparatus, so well known in the villages of India: the camel and the donkey are unequally yoked to scrape with a light plough the light soil. Twenty years of peace and good government would produce wonders amidst this light hearted and contented peasantry. There is no occasion for soldiers or cannon to keep this country quiet: a well organized police, and a kind, strong, and intelligent district officer. I gather from some of the reports, that admidst the aboriginal population, the linear decendants of the people of Pharaoh, there are here and there colonies of a superior race, who are however none the less Egyptian because their ancestors, at some remote period, immigrated, bearing their decendants like boulders in an Alpine valley, when the force that brought them has melted away. So is it also in British India, and from this slender material good native officials are fashioned by the plastic hand of a competent Englishman.

I now pass to the judicial system. It is a miserable servitude where the law is uncertain, or the execution of good laws capricious. The state of affairs in Egypt was below contempt. The case is diffirent now. There are two tribunals: the International and the Native: it may be hoped that in course of time the first may disappear. If England were to annex Egypt, as France has Tunisia, it would disappear at once.

Many various nations have acquired vested interests in Egypt which would, under certain circumstances, justify their diplomatic interference in the government of the country. A new and powerful international factor

was introduced into Egypt by the foundation of the mixed tribunals established in 1875 by Ismail Pasha, in substitution for the Consular courts. This his own creation went far to destroy him. The tribunals delivered sentences against him which he could not execute. He, on his side, issued a decree in partial repudiation of debts he could not pay in full. Germany, one of the 14 powers whose consular jurisdiction had been transferred, instantly protested. England and France followed the example of Germany, and a storm was raised, which ended in the deposition of the Khedive by the Porte. That Ismail was exiled and that Tewfik his son reigned in his stead is matter of well known history; but it is not so well known that a new right of international intervention in Egypt was first claimed and recognised at that time. Every power that possessed extra-territorial consular jurisdiction in Egypt before 1875 has now the right to protest and interfere, if the decisions of the mixed tribunals are not respected.

Since then indigenous courts have been established, and in 1883 a new departure was made. I bought this year at Cairo a small volume in the French language translated from the Arabic, of about five hundred pages. It contained a copy of the Decree constituting the Courts, a Code of positive Civil law, a Code of positive Commercial law, a Code of procedure, Civil and Commercial, a code of positive Criminal law, a code of Criminal procedure. I do not open the question whether these codes are good or not, or whether the Code Napoleon is the best type to follow; it is sufficient to note that intelligible codes exist in the two vernaculars of the country. This, by itself, is an advance of centuries on the former miserable stagnation. Accompanying Mr West the procureur, I visited the courts; the drinking of coffee and smoking of pipes was peculiar, the judges were too numerous to be well paid, the abominable red cap with a tassel was a disgrace to every Christian that wore it; otherwise I was satisfied that there was the germ of good things. If capable and honest men are appointed, and the executive is prevented from acts of bribery or intimidation, a good time may be coming.

A good police force has been organised, and for great cities this is easy enough; the difficulty is, as we know full well in India, to make the police sufficiently strong to repress violent crime, and yet sufficiently under control as not to oppress the villagers. That the use of the whip is forbidden is a step in advance, but the effect of centuries of oppression and contempt of justice on one side, and bribery and servility on the other, cannot be effaced in a day. I visited the jails in the city, and accompanied by Dr Cruickshank, the Inspector of Prisons, I went out to see the new central prison at Helwan. Of course the travelling Member of Parliament, and the newspaper correspondents who had formed their ideas at Pentonville, would be aghast at what they saw. I remembered the temporary buildings which did duty as jails thirty years in the

Panjáb, and was satisfied that here also there was progress in the right direction.

The subject of canals has been carefully studied: from time immemorial Egypt has depended on them for a timely distribution of water. Many noble works have been constructed by Ismail and his predecessors; the whole matter has been well considered, and plans made for the future. The river is the great roadway: The Delta is well threaded by railways, and a line runs southward to Assiout, which should be extended to Assouan, and a line run across the desert from Kenneh to Kosseir on the Red Sea.

There are two parallel educational systems in Egypt—European energy and Mahomedan stagnation are typified in each. First, we have the old Arab school, which is attached to the Mosque. Every traveller has seen at the corners of the streets of Oriental towns a room-full of children, squatted on the floor, shouting out at the top of their shrill voices passages from the Koran, or painfully writing Arabic letters on bits of tin, while an old gentleman in flowing robes and a turban, acts pedagogue with a long stick. This is really no education at all. The children learn nothing, the teacher is almost as ignorant as his pupil, and the chief use of the school is as a general nursery where the little ones can be in safety while the parents go out to work (as even the women do now in Egypt). This, unfortunately, is still the only kind of school one finds outside Cairo, Alexandria, and some of the other larger towns. However, little by little, this system is being changed. Government does not maintain these Arab schools. That is done partly by religious endowment, partly by small payments of a piastre (2½d.) a week from such pupils as can pay. But Government has the right of inspection and of recommendation of teachers. A better class of teachers is being trained, and arithmetic is already added to the teaching of reading and writing. Parallel with this old educational system, on which the mass of the people must still depend for some time to come, and which I may call the Arab system, is the new European system of the Government. At present its schools only exist in Alexandria, Cairo, and the large towns. But their influence is being extended in the manner I have above described. These schools are divided thus:—Primary Schools and Government Schools. Some of the primary schools only teach reading, writing and arithmetic, and the Koran, and only differ from the Arab schools in the quality of their teacher. But in Cairo and Alexandria these inferior schools have already been wholly superseded by the better class of schools. The primary schools of the better kind have a fixed programme of teaching, an educational course which extends over four years, and an efficient staff of masters. No distinction is made of religion, race, or class; all are admitted who like to come. The pupils are taught Arabic and Turkish, one European language, English, French, German, or Italian—at choice, writing in Arabic and European characters, geography, a little history, physics, and drawing. They are either boarders or day-scholars. Those of the boarders who are reported by the authorities of their district as being able to pay, pay £26 a year. Those who can pay partly, do so, those who are poor, pay nothing. Clothing is given to the boarders, as well as food and lodging.

Government, however, claims to control the subsequent career of those among the pupils who pay nothing and who show much promise. They are passed on to the Government schools to be trained for the Government service, and many teachers are thus being trained for the improvement

of the teaching class in the primary schools Government surveyors, engineers, doctors, and lawyers are also recruited in this way from the lower classes Between the primary and secondary schools are preparatory schools, where the subjects taught in the primary scools are brought to greater perfection before the pupils are passed on to the Government schools. The Government schools are each of a special character. There is an Ecole Polytechnique, where the members of the scientific corps of the Egyptian Army receive their training There is a Surveying School There are schools of law, medicine and the higher mechanics Finally, there is a normal school, but only of two years' standing Though this higher teaching, originally introduced by Mohemed Ali, but allowed to collapse by his successors, has only been revived a few years, it is producing much good result, and a certificate that he has passed through a course of study there, already stands an Egyptian in good stead in the battle of life Diplomas are not yet given The reason why they are not, is a curious illustration of the manner the Egyptian Government is *exploité* "The Viceroy does not allow diplomas because those who received them would consider the Government bound to give them employment"

After visiting the boys' schools I went on to the girls' schools, which are a new institution of exceptional importance in Egypt Women have, hitherto under the Moslem rule led a veiled, secluded, useless, ignorant life in the harem. Here and there European governesses have been introduced, but the cases are so exceedingly rare, that it may be broadly stated that, up to two years ago, women were not educated in Egypt and consequently, national education wholly wanted the true foundation of all teaching—the mothers lessons to her children But two years ago one of the Khedive's wives, a woman in advance of her country, determined to found and endow a school for her sex in Cairo An ancient palace was utilized, a staff of teachers organized dormitories arranged, class rooms and playgrounds provided, and the Cairo public invited to send their daughters to be taught, fed, lodged, and clothed free of charge At first the invitation met with no response Even 18 days before the day named for the opening of the school, there was not a single name entered. The authorities were in despair The project seemed hopelessly in advance of public opinion It was seriously proposed to draught in a number of foundling children from the hospital, so that the school should not be wholly without scholars But on the 18th day came an Arab mother with her daughter Three days' later a batch of 17 arrived The school would only contain 300, and on the opening day 400 had to be rejected Since then the applications have never ceased and there are now over 900 waiting acceptance. A second school has been opened a third is in process of erection, and numerously signed petitions for similar institutions have come from the large towns in the interior, in fact popular prejudice is completely routed

The instruction given is such as is calculated to enable a woman to become the capable mistress of her household Twenty four hours a week are given to intellectual training, the rest are devoted to instruction in needlework, cooking, washing, and the proper management of a house. The training is for five years

It would appear as if a benevolent and intelligent despotism, such as exists in British India, tempered by the action of a free press, and the independent character of the high officials, would be the best thing for Egypt for the next quarter of a century, but the spirit of the age is in favour of Constitutions, as if they were of universal application, without

reference to the culture of the people. By the organic law of May 1, 1883, there ought to exist in Egypt (i) a Council in each Province; (ii) a Legislative Council; and (iii) a General Assembly, but up to date none of the Provincial Councils had been convoked, though Nubar Pasha was reputed to be convinced of their importance. The Legislative Council is in existence, but works in private, only as a consultative body. The General Assembly has never been convoked. It is just as well that these wretched travesties of Constitutional Government, though well intentioned, should remain in abeyance: they would be merely the screens, behind which high handed men, of the Bismark type, would work their own wayward will.

After all, the real difficulty in Egypt is the financial state. Like the old man in Sindbad the Sailor, the country is weighed down by an incubus: it is of no use asking, how did it come about; *it is there.* Ismail tried to carry out, in a few years, what was the work, the *slow work* of a century: he took up loans, the interest of which would tax the resources of a much larger and richer country: he was plundered most outrageously in the mode of getting his loans: he was plundered still more in the mode of spending it, and took his share of the plunder. I quote the thoughtful and reasonable remarks of an anonymous correspondent of a leading journal:—

This brings me to the remaining difficulty in the solution of the Egyptian problem—the financial question. I have no particular sympathy with the Egyptian bondholder. He is, I presume entitled by right to just as much and as little consideration as any other investor in the public funds. The senseless outcry which would represent him as the pariah of the Stock Exchange, entitled to no consideration whatever, is as unpractical as it is unjust In abstract justice there is, indeed, no reason why he should be treated differently to the creditor of any other bankrupt State, but whether we like it or not, we have to recognize the fact that we cannot so treat him. He is the *protégé* of united Europe, he is the mainspring of the Egyptian policy of several European Governments, and to ignore the fact is a childish running of our head against a wall. We have to compound with our creditor quickly, or worse will follow; and our only possible course is to get rid of this prominent and disagreeable personage on the cheapest terms. The debt of Egypt is, roughly speaking, 104 millions, costing the country £4,250,000 annually. A very obvious remedy would be to guarantee 3 per cent. upon the total amount. We should thereby reduce the charge by one million, and as Egypt has hitherto paid the four-and-a-quarter millions within £200,000, there would be no appreciable risk. Such an arrangement, however, would not only be giving a large bonus to the bondholders, but would be placing on the same footing different loans having very unequal securities. Moreover, it is clearly inadvisable to make so substantial a concession, even though unattended with risk, without obtaining adequate advantages. While we should be prepared to insist on having, for a period at least, the sole management of the country, we should endeavour to interest the other Powers in our success, or at least to ensure their benevolent neutrality. I would, therefore, in the first place determine the amount of our guarantee by the value of the stock, and limit the duration of it to such period as we remained in possession of the country.

Egypt.

[illegible] the 104 millions of Egyptian debt at to day's value do not represent [illegible] bondholders might plausibly argue [illegible] three years of English mismanagement [illegible] basis of calculation. They may fairly [illegible] due of the securities by our intervention [illegible] of our own wrong. There was, not a figure [illegible] advantage [illegible] seemed as if Egyptian stock [illegible] a moment [illegible] of a military adventurer. [illegible] worthless under the rule [illegible] we shall be doing him ample [illegible] bondholder [illegible] average of the first six months [illegible] saved the [illegible] according to the [illegible] same. In other words, from [illegible] stock [illegible] 3 per cent. [illegible] during that period should have [illegible] and [illegible] holder of £100 stock [illegible] go and [illegible] and £ [illegible] respectively, assuming [illegible] English government of Egypt [illegible] British [illegible] contemporaneous with [illegible] ceased.

[illegible] withdrawn [illegible] Egyptian debt thus valued, would be about 80 [illegible] interest £2,400,000. Were England, devoting [illegible] to readjustment of taxation and public works, to [illegible] yearly to the service of the public debt, employing [illegible] £1,000,000 for the service of that debt, at the end of the 30 years, would [illegible] £3,000,000 its reduction, and 20 more years at the same rate would [illegible] £3,000,000, and [illegible]. That is to say, instead of the present [illegible] the new arrangement would [illegible] for service of debt, £1,000,000 for adjustment [illegible] £1,250,000 for covering yearly deficits; £3,000,000 for service of debt, including [illegible] works, &c.; £3,000,000 [illegible] total, £4,250,000. And this, be it observed, is [illegible] budget unaltered, that is to say, making no [illegible] revenue obtainable by taxation of Europeans, [illegible] diminished expenditure ensured by the abandonment of [illegible] international government.

[illegible] most abominable features of the whole affair still [illegible] is that every European who is domiciled, [illegible] of passage in Egypt is free from every form [illegible] pays nothing to support the State. "The law [illegible] ought to be applicable without distinction [illegible] of the Sovereign of the State and to the agents [illegible] his protection. This would add £100,000 [illegible] revenue, and remove a feeling of irritation [illegible] exists in Egypt against the injustice [illegible]. It is difficult to imagine any greater [illegible] a people than the gross inequality which [illegible] natives and Europeans, and which makes [illegible] artizan subject to a professional [illegible] richest European merchant escapes [illegible] the words of Lord Northbrook in his [illegible] 1884.

[illegible] be credited by any [illegible] attention [illegible] that [illegible] advantages [illegible] subject to [illegible]

and industries which the natives are perfectly competent to carry on, are usurped by strangers, whose only object is to get as much as they can out of the country, and then leave it as soon as possible.

As to the connection of Egypt with Turkey, it must cease altogether. Austria had to give up Italy: France parted with Alsace: England lost her American Colonies. The tribute payable by Egypt to the Sultan was a personal matter, between the family of Mehemet Ali and his Suzerain. England once paid tribute to the Danes, *cessante ratione cessat lex.* It is a monstrous abuse that such a tribute should be paid, and an act of oppression to the people of Egypt. Tributes from one State to another are anachronisms. The slave trade must be peremptorily abolished under the severest penalties: slavery itself should be quietly suffocated by the application of the famous Indian Act of 1843, and intermediately every shareholder should be heavily taxed for each slave, and their number registered: no runaway slave can be restored: in the course of a quarter of a century the custom will disappear. It is nonsense to say that a Mahometan country cannot exist without slaves. How do the forty millions of Mahometans in India get on without them? What short work was made of the status in Algeria and Tunisia? Until slavery is got rid of, there will always be an objection on the part of free men and free women undertaking the duties of domestic service. I found this feeling very strong in Palestine. Girls educated at orphanages refused to go out as servants, even in good Christian families. I visited the Home that has lately been opened at Cairo as a refuge for runaway female slaves. I cannot say that either the locale or the method met my approbation. I saw two runaway white slaves, who had escaped from the Home of one of the sisters of the Khedive, who came in person to try and persuade them to go back, which they declined. They received their certificates of freedom, and went their way. I remember such cases often occurring in India thirty years ago. Female slaves sometimes escaped from the house of a Nawab, and made their way to the magistrate's court and petitioned for freedom. The operation was very simple, and on their petition were scrawled the words—"the petitioner may go where she likes," and their freedom was accomplished; and any attempt on the part of the Nawab to recapture them would have been punished under the Criminal Code. By this gentle process slavery has died away in India. Some raise up a phantom danger in the possibility of a religious war. There is not much fear of that in Egypt: they are not very good Mahomedans, and so long as there is entire toleration of their worship, the endowments and emoluments, and influence of the religious leaders can with safety be permitted to exist for a single life, or a couple of lives, and then lapse. I can

well remember how we dealt with the Sikh priests and the holy men who had been so troublesome and influential. We told them that they would be allowed to enjoy their property in peace for their natural lives and afterwards for the lives of their sons, but that they must leave other people alone. If they raised a tumult, we told them that they would be chopped into pieces, and their lands confiscated. All these good old fellows have long since been burnt on the funeral pile, and their very names forgotten. One tribe asked leave to continue their ancient practice of killing their female children. John Lawrence gave vent to a slight oath, when he heard this, and told them that the first of them who did this would be hanged. Eventually we laughed them out of Court by changing their title of "Baba" or Father by which they were called, into "Papi" or Sinner. In the first years of a new system some private hardship must be expected; let it be as little as possible, and the period as short as possible.

I cannot see reason why the Suez Canal should necessarily be considered an integral part of Egypt. It is fenced in by sand on both sides, and is a little world in itself, and might be placed under international protection and treated as [illegible] of Egypt, and not It is just as much a part of Palestine as it is of Egypt, and not necessarily a part of either. It has been a heavy curse to Egypt by the amount of forced labour exacted and burdens imposed. In considering the future destiny of Egypt it is to be hoped that country will be considered apart from Turkey, the Suez Canal, and the Sudan; in fact, the Egypt of the Nile Valley.

Now, if Egypt were an island, or if it were a province attached like Sindh or Burma to India, the extension of it under British control might pay. In this way [illegible] the purposes of the French, and Algeria has answered the purposes [illegible] has [illegible] annexation of Bosnia and Herzegovina [illegible] This exceeds the weakness to Austria. Egypt [illegible] expansion [illegible] Tributary and Protected with a possibility of [illegible] the Indian [illegible] income of the largest of the [illegible] be [illegible] States. It may in passing be [illegible] attempt at [illegible] these States has any [illegible] still exist [illegible] Native Ruler, and they [illegible] in Egypt [illegible] make progress in [illegible] and his country been [illegible] Egypt is not [illegible] one of the [illegible] Alexandria is one of the [illegible] nearest neighbour [illegible] as to Syria on the [illegible] covers his victim with [illegible] by religious and [illegible]

prepared Syria for absorption. With such frontiers on the eas and west, the occupation of Egypt would not pay its military anc civil expenses, independently of the debt which, under Europear guarantees, absorbs half the income of the province. Then Franc has a sentimental feeling with regard to Egypt: It was th first European country that actually got military possession o that country and thoroughly described it: the *lingua franc* of the country is French: the laws and law courts are framec on a French type: much of the administration is Frenchified If England were to annex Egypt, it would be an affront *whic France would never forgive.* Imagine a state of European war and the strength and resources which would be required tc retain a really worthless province. Then, again, Egypt is no like India: there will always be a large admixture of Europear immigrants and a leaven of European nations. The people hav already dabbled in Constitutions. In Egypt I fell into conver sation with an intelligent Egyptian, and I casually remarkec that Egypt was a worthless country. He looked at me wit astonishment, and replied that it was the finest and richest, anc most desirable country in the world. No doubt every black beetle thinks himself the largest and most shiney of his species The Irishmen no doubt have the same opinion of Ireland, anc the Bulgarians of Bulgaria. It is patriotic, but not true: yet the sentiment might give a world of trouble to a foreign conqueror.

The rule of Ismail is a sad one to read of. He was most unscrupulous; he got rid of troublesome servants or subjects with a cup of poisoned coffee: one very troublesome financie was invited to visit him in one of his palaces, where he was said to be unwell, and was never seen or heard of again. Of the loans for which unhappy Egypt is now hypothecated, he made away with a large portion, and took out it of the country when he was exiled. Never have Juvenal's lines been so truly applicable

> Exul ad octavum consulbibit, at fruitur Diis
> Invitis; at tu Victrix Provincia, ploras!

What of the Governors whom he enlisted in his service? Infamous in their private lives, surrounded by the slave, the eunuch, the concubine and the dancing boy; utterly without principle, or knowledge, or sympathy with the people in the discharge of their public duties, no form of law existed but that of the strongest. Interspersed with such Governors were members of the ruling family of the worst possible types. Gradually Ismail had got possession, as his private domains, of a large portion of the soil of Egypt, which he distributed among the members of his family. Something of the same kind had been effected by the ruling families in Upper India, and the revenue of the state was impaired by alienations. The English

official, wheresoever he goes, carries with him in his office box the dignity of an Englishman and a Christian. Under no circumstances, in any place, and in any environment, would he condescend to do or say what is false and mean; he would shrink from what is cruel and treacherous: he would proudly turn away from what is wanton or sordid. Such have been the characteristics of *England's soldiers and civilians in* India with some rare exceptions, which have been noted for the stern punishment and scathing condemnation which they received. We had to clear out the harems of the Sikh Rulers at Lahore, and of the Great Mogul at Delhi: it was a perilous task, but men were found equal to the occasion. Treasuries had to be emptied, and the contents conveyed away. I myself, in my small local treasury at Hoshyarpur, had to receive thirty lakhs in silver, paid in as part of the price of Cashmir, and as no room would hold it for the night I had my bed spread upon the bags, and saw it safe under weigh at early dawn.

English Governors have often times their patience tried by persistent opponents: they have by persistent efforts captured them, and tried them, and executed them, but they have never made use of the coffee cup, or the secret dagger, or the oubliette. Had Ismail not been deposed we should never have heard of Arabi, he would have been comfortably disposed of. The rule of British India is founded on justice, and mercy, and sympathy for the people, and that is the reason why it has continued. No re-called Viceroy has left Calcutta with shiploads of women and plunder to eke out the remainder of his days in the Favorita Palace in the Bay of Naples, or in a Kiosk on the Bosphorus.

So poisonous has been the official air, so foul the administrative environment of Egypt, that even English Governors have forgotten their high character, and done what they would never have dreamt of doing in a like position in British India. The name of Gordon Pasha, Governor-General of Equatorial Africa in the time of Ismail Khedive, carries with it in most minds its *own estimation.* A book was published in 1881, called "Colonel Gordon in Central Africa," by Dr Birkbeck Hill, compiled from original letters chiefly to his sister. At page 345 we read the following remarkable word—"I got the slave-dealers chained "at once, and then decided about the slaves. The men and "boys were put into the ranks of the army, and *the women* "*were told off to be wives of the soldiers.*" Again—"Some of the "poor women were quite nude. I disposed of them in the same way: what else can I do?" I do not think that any of the high minded officers in civil employ in India would have, under possible circumstances, distributed unhappy women to be wives of the Sepahis. Many of these women were already wives and mothers, who had been torn from their homes. In India they

would have been carefully segregated under the care of old grey bearded men, and the fertile resources of benevolent men would have been exercised to convey them to some shelter. Better far the tender mercies of the slave dealer, or the coffee cup of Ismail, than the sentence to be the temporary concubines of troops on the march, to which a Christian Governor consigned them.

Then, again, the Christian Governor-General had a mosque cleaned out, restored to worship, the Priests and the Muezzin were endowed, and a great ceremonial took place for the re-opening. "This was a great coup," he writes: "to me it "appears that the Mussulman worships God as well as I do, and "is acceptable, if sincere, as any Christian." Such conduct, such sentiments, would be viewed in British India with the highest condemnation, and yet the Mahometans in India count by millions: in Das-Fur, where this mosque was situated, they count only by hundreds. At page 100 we read that Gordon paid for the expense attending the *circumcision of a boy*.

We have heard a great deal of the slave dealer Zebehr, whose son was executed by order of Gordon Pasha, and at page 409 of the same volume we read how this happened: "I send you Gessi's letters, which tells of "the end of Zebehr's son (aged 22). I have no compunc-"tion about his death; I told them that if *he fought the* "*Egyptian Government, God would slay him.* Gessi only *obeyed my orders in shooting him!*" What would Henry Lawrence, or John Lawrence, or Dalhousie, or Canning have said or done is reply to such a report from one of their subordinates? How knightly seem the forms, and how noble and yet how clement, the sentiments of these great men. I only mention these instances to show how hopeless is the case of Egypt, until a clean sweep has been made of the Turk, the Circassian, the Albanian, the Arnout, and the ignoble ruling class of the Mahometans; I wish also to shew how insensibly Christians fall to a lower level from the contact, for it is shocking to record, that the ordained priests of the Coptic church in Egypt were the most expert operators in the abominable trade of making eunuchs, and we have seen above how one of the noblest Englishmen seemed like a chamelion to assume the colour of the leaf on which he rested, and to forget pity, in the disposal of poor women, the precepts of Christianity, in repairing mosques, and mercy, in the dealing with his political antagonists.

At any rate for the reasons given above, let England clear out of Egypt at the earliest possible date: the longer the occupation lasts, the more difficult will be the departure, and the harder the fate of those who have been friendly to us.

At the same time no other European nation can be allowed to take our place. There is no fear of internal revolt from the people; the great Powers of Europe must be responsible that there is no invasion across the frontiers, and, in fact, the northern frontier is the only dangerous one, and the only invader to be feared is England, France, or possibly Italy. Let the present Khedive, who as a man is faultless, though as a Governor he is weak, be encouraged to introduce an honest, a sympathetic, and a just Government, availing himself of the aid of a few men chosen from European states, but dependent on him only. Let the bondholders wait their time, and the interest of the debt be postponed to the legitimate requirements of the country. Let the people have time to recuperate and get fat, and extend cultivation over land rendered cultivable by extended canals. Let sanitation, vaccination, education of the rural population, and municipal corporations stand over for a season until peace and quiet, order and justice are re-established, and Egypt will then take her place among the nations, with eight millions of population, and twelve millions of annual revenue, collected by lawful methods from a contented people.

London, October 1885. ROBERT CUST.

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THE QUARTER.

THE English elections have resulted, after all, in somewhat decisive Liberal victory, and for reasons purely Indian in their character and significance, this must be regarded in the light of an Indian calamity. It is to be feared that the Indian policy of a Liberal Government will be the policy of Lord Ripon, or will be colored by that singular mixture of cant sentimentalism, mischievous appeal to race prejudice, miscalculation, and general imbecility which will be for ever associated with the memory of Lord Ripon's administration in India.

The Burmah campaign was short and sweet, very short and very sweet. We came, we saw, and we conquered. The faint show of resistance attempted at first, collapsed very soon, and there can be no doubt that this was owing, in a great degree, to the praiseworthy rapidity of the British advance, and the admirable manner in which the British military arrangements were completed in a very short space of time. Mr. Bright attributes our invasion of Burmah to the "swarm of military people" who surround the Viceroy, a swarm very hungry for appointments, honors, decorations, and so forth. Now as regards the late invasion of Burmah, the statement is not only untrue, but curiously and rather ingeniously the very reverse of the truth. Even Lord Ripon would scarcely have the hardihood to say that the pressure of opinion which brought about the invasion of Theebaw's dominions was military pressure. Would Mr. Bright be very much surprised to hear that the members of the Burmah Trading Company are not military officers; that the members of the Rangoon or Calcutta Chambers of Commerce wear neither cocked hats or red coats; that Mr. Keswick is not a Major-General—would all this be very startling information for the pugnacious member of peace-loving Bermingham? This is another instance of that carefully-cultivated ignorance which Mr. Bright brings to bear on all questions relating to Indian administration. It is a pity, for his own sake, that he did not become Secretary of State for India in the late administration. He would certainly have ruined, India, but then he might have improved himself.

Mr. Morley was very freely vituperated by a certain section of the Native press, because (although a Radical) he had the courage and honesty to assert, that there was still a mass of

"ignorant and excitable barbarism" underlying the smooth surface of Native society. This imputation on Indian Nineteenth-century civilisation was energetically disclaimed in some of the Native prints. The recent occurrences at Broach furnish a suggestive comment on these disclaimers. The other day, in broad daylight, a number of native fanatics assembled under a tree in the neighbourhood of Broach, and had a short preliminary consultation as regards the best means to be adopted for upsetting British rule and exterminating British officers in that station. As a result of this conference a sudden attack on Broach, with the necessary accompaniments of wholesale murder and general arson was decided on and immediately carried into effect. The fanatics rushed the station and made for the Collector's house; fortunately he was out, but they met Mr. Prescott on the road and assaulted him so severely that he died, of the injuries which he received, in a few hours. They were then tackled by the police but they fought desperately, and did not finally disperse until five of their number were killed and several wounded. Several of the Policemen were seriously wounded in the fray.

The Camp of Exercise at Delhi is now in full swing as far as the preliminary preparations are concerned and the number of foreign officers attending the manœuvres is unusually large. However unsatisfactory our 'little wars' may be in other respects, they have conduced to one most satisfactory result, namely, an enormous improvement in the organisation of the British army. We can remember Bombay in 1867 (when the British forces were being embarked for Abyssinia) and the scenes of confusion amounting to chaos, which attended the process at that time. Now all this is changed, and troops, stores and horses are put on board with a rapidity, ease, and completeness of arrangement in the highest degree creditable to the military authorities.

The report containing the result of the official enquiry into the loss of the ship "British Statesman" was published during the quarter. It contains some startling information and some admirable suggestions. The loss of the ship is attributed to two causes first, and in a very principal degree to the manner in which the cargo (bags of rice) was stowed, and 2nd to defective seamanship on the part of the Captain. The bags of rice were stowed in such a manner that they were certain to shift if the ship rolled much (as she was bound to do in a very heavy sea) and it seems that this way of stowing rice cargo is very common, and it is only wonderful that accidents and losses have not been more frequent than they have been.

The Stead trial resulted in the conviction and punishment of all the principal parties concerned except Mr. Bramwell Booth. Mr. Stead himself got off very lightly, with a sentence of three months simple imprisonment, enough to make him cautious as regards infringing the law in the same way again, and not enough to enable him to pose as a martyr in the cause of virtue and morality.

Lady Dufferin's Fund, in aid of the movement to establish an organisation for the medical training of Native women, continues to prosper. Subscriptions to a very large amount have been received from every part of India, and from all classes of Indian society—and "the cry is still they come." As we have said, to Lady Dufferin belongs the credit of reviving this movement: it originated with Dr. Corbyne as far back as 1872. Dr. Corbyne is still alive. He has retired and is living in England. Lady Dufferin would be the last to wish that the services rendered to this cause by its originator should be wholly ignored now.

The P. & O. Mail Steamer "Indus" was wrecked during the quarter. This is the first accident of its kind which has happened to a P. & O. vessel for a number of years. The steamer was wrecked off the coast of Trincomalee, and owing to some cause or other (possibly owing to the action of currents) the steamer was out of her proper course, when she struck, to an extraordinary extent. There was no loss of life as the passengers and crew were allowed plenty of time to leave the ship, but the vessel became a total wreck, and the cargo was lost.

It is to hoped, sincerely hoped, that Lord Randolph Churchill's proposal for an inquiry into Indian administration will be carried into effect, and that at no distant date. There was an inquiry of this nature in 1832, and it led to many reforms and changes in the machinery of the Indian Government. The inquiry, or rather the proposal that such an inquiry should be held, carries with it no reflection on the zeal of our administrators or the general efficiency of our administration. Nations, like trade firms, are bound to take stock of their possessions every now and then, and nothing but good can result from a thorough investigation on the lines indicated by Lord Randolph Churchill.

In the interval between his departure from Simla and his arrival in Calcutta, Lord Dufferin made a Viceregal tour in Northern India, and visited some of the principal Native States in Rajputana, Jodhpur, Oudipur. His Excellency

was, as a matter of course, received everywhere with every demonstration of loyal welcome. These progressions are said to do a great deal of good, perhaps they do; they certainly must do the Viceroy himself a great deal of good in one most important direction. A statistician has made a calculation from Lord Dufferin's speeches, which furnishes some very gratifying information indeed. Lord Dufferin was never "so happy in his life" 50 times, he experienced sensations of "the greatest pleasure" 900 times, and "nothing ever gave him so much satisfaction" 532 times.

The work of frontier delimitation has actually begun. A frontier pillar has actually been erected, so far everything has gone smoothly with the Delimitation Commission, and whatever difficulties may arise in the future, English diplomacy will be much simplified and English action greatly facilitated, by the work which is being done by the Boundary Commission.

The Indian candidates, including the Englishmen who accepted the political programme of the Indian delegates, were not at all successful at the English election. All the prominent Indian candidates, Baboo Lal Mohun Ghose, Mr Digby, Mr. Wilfred Blunt, Mr Seymour Key were defeated. The reason is not far to seek: interest in India and Indian administration is undoubtedly increasing in England. It has not reached the point, or assumed the characteristics, represented by Lal Mohun Ghose and Mr. Wilfred Blunt. The English people, strange to say, continue to take some interest in themselves and their own affairs, and this conservative bigotry of national feeling was fatal to Ghose & Company at the late elections.

Orissa was the scene of very widespread distress as the after-effect of the terrible storm off False Point in September. The storm wave swept inland for a great distance carrying wreck and desolation to scores of villages. Sir Rivers Thompson paid a lengthened visit to Orissa in October, visiting personally all the places which had suffered by the storm, and he organised, with the aid of the local authorities, a system of relief for the distressed villages, which is still in operation, and which already has been productive of the best results.

During the quarter Mr. Cotton delivered a very characteristic lecture to the members of the Bethune Society. Mr Cotton is the most "intense young man" of the intense political school. The useful word "transition" possesses a great attraction for Mr. Cotton, as it does, indeed, for all political

thinkers of Mr. Cotton's intellectual *calibre.* Mr. Cotton is always reminding us that we live in a transition period of Indian history, although we fancy it would puzzle Mr. Cotton to point to any period of Indian history (since the commencement of British rule) which was not a transition period in the sense in which that word is understood by Mr. Cotton. Mr. Cotton was much distressed at a phenomenon which, according to the Junior Secretary to the Board of Revenue, is assuming a very serious aspect and very alarming proportions: namely, the great and increasing recklessness of the suggestions which emanate from young and irresponsible officials. This is too delicious! Mr. Cotton is young, or comparatively young, but then he is not irresponsible. Some one we assume is officially responsible for Mr. Cotton's official work, but who is responsible for his extra official utterances to the Bethune Society? The sagacious, dignified and clear-headed statesman who tried to serve the cause of the Municipal Commissioners by insulting Dr. Payne; who is always trying to serve the cause of native progress by insulting impliedly, if not expressly, the past history of British government in this country; who appears to look forward with confidence to the near advent of the time when England will forsake her great trust and "scuttle" out of India altogether—this is the man whose sober judgment is horrified at the recklessness of some of the young official ambitions who, fired by his example, have dared to set up in the same line of political business as himself. These last deserve our best thanks, and we wish them every success. There is a story told of a gentleman at Bhowanipore who believed himself to be a tea-pot, and nothing his keeper could do, could dispossess him of that illusion. At last, in a moment of inspiration, a sharp keeper showed him another man who believed himself to be a tea-pot, and the lunatic, through sheer disgust, got rid of his pet particular illusion at once. If the Service could only afford us another Mr. Cotton, the thing would be done at once.

Sindia has been made happy at last. The fortress of Gwalior has been restored to him, and the dream of his life has been fulfilled. Gwalior was first captured by the British in 1780, when Major Bruce, an officer of Popham's force, rushed the defences and captured, with a mere handful of men, what was then believed to be the strongest fortress in India. It is said that the military authorities were opposed to the surrender of the place to Sindia by Lord Dufferin's Government. This, we have good reason for believing, is not the case. Lord Dufferin is not the man to ignore the advice of his military advisers in connexion with such a matter. The truth is that the art of war

especially in connexion with siege operations has been revolutionised by the progress of invention and military science, and Gwalior, from a military point of view, will not be a very difficult nut for us to crack if we should ever want to crack it, which we hope we wont.

The Government of Nepal is a nominal sovereignty, a real despotism in the person of a despotic Minister, tempered and otherwise made plastic and appropriate by periodical revolutions and general assassination. Jung Bahadoor, as a preliminary to his accession, was compelled to convert most of his relations into movable targets, and his practice in this novel description of shooting gallery was so good that he ruled in great tranquility and contentment to the end of his days. There was a palace revolution at Nepal during the quarter under review. The Chief Minister was assassinated and his assassin now rules in his place. This is a little awkward for us. We most certainly don't want to interfere with Nepal but if the country degenerates into a state of anarchy owing to misgovernment and internecine strife, what are we to do? If we dont interfere, China will.

It is evident that His Excellency tried to do too much in connexion with his tour in Northern India, and had to pay the penalty in the shape of a rather sharp attack of illness just before his arrival in Calcutta. The news of the Viceroy's illness was received by all classes of the community with the most genuine and unaffected concern. Already Lord Dufferin has done much to justify the very high expectations of his admirers when it was first announced that he had consented to become the successor of Lord Ripon. In his dealings with Russia he was very firm, but also politic and conciliatory; the personal impression he made on the Amir—and with rulers like Abdurahman personal impressions count for a good deal—will probably be productive of permanent results favorable to a better understanding and closer alliance between England and Afghanistan; and the rapid stroke of policy by means of which he brought the Burma difficulties to a happy termination, was worthy of the older and grander days of Anglo-Indian administration.

The Annual Convocation of the Calcutta University was held during the quarter, and Mr Ilbert as Vice Chancellor delivered the Convocation Address. Mr Ilbert was not a great success on this occasion. This was to be expected. The learned gentleman is nothing if not academical and it was scarcely [illegible] have been seen at his best in [illegible] with [illegible]

celebration. Nor was this expectation in any degree disappointed. Mr. Ilbert's speech was, perhaps, a trifle too long, but, on the whole, it was a noble address. In connexion with a subject like education—a subject which lends itself with fatal facility to the nefarious uses of platitude and commonplace, it is dfficult for the most experienced orator to be very original or very interesting. Yet there was much in Mr. Ilbert's address that was both original and interesting. The uselessnesss of advanced intellectual culture; the folly of wasting public money on the system which provides for the maintenance and development of that culture among the Indian people, is a favorite hobby with the official vandals of our time. Mr. Ibert's speech was impliedly, at least, a noble vindication of a noble policy, and let us hope that for a season the vandals will cease from troubling, and our "M. A.'s" and "B. A.'s" be at rest.

GEORGE A. STACK.

The 21st December 1885.

SUMMARY OF ANNUAL REPORTS.

Report on the Administration of the Registration Department, Bengal, 1884-85.

REGISTRATION Statistics show a very large increase for the year under review:—

During the past year, there was again an increase in the number of registrations, amounting to 87,378, or 14·53 per cent as compared with an increase of 45,861, or 8·26 per cent. in the previous year. The increase in the number of compulsory registrations affecting immovable property, exceeded considerably the increase in the number of optional registrations affecting property of the same kind; the percentage of the latter was, however, much higher than that of the former, the increase in compulsory registrations amounting to 43,024, or 12·97 per cent., while the increase in optional registrations amounted to 29,847, or 18·20 per cent. The receipts rose from Rs. 9,74,711 to Rs 1,074,501, an increase of 10·23 per cent, while the expenditure increased from Rs. 5,04,755 to Rs 5,54,110, or 9·77 per cent; the net surplus being Rs. 5,20,391, or 10·73 per cent. higher than the net surplus for 1883-84

Report on the Administration of the Stamp Department, 1884-85.

THE revenue collected from Stamps shows a large increase for the year under review —

The gross revenue collected under the two Acts I of 1879 and VII of 1870 was Rs. 1,29,91,191 against Rs 1,25,76,914 in the previous year, giving an increase of Rs. 4,14,277 Both classes of stamps judicial and non judicial, contributed to this increase the receipts exceeding those of any previous year As in previous years the receipts were highest in Calcutta (Rs. 19,24,737) and lowest in Sonthal... (Rs 6,437) The total charges under both the Acts amounted to Rs 6,46,077, and the total net revenue to Rs 1,23,45,114 The general incidence of stamp revenue on the population of Bengal, estimated at 69 millions, is 3 annas 1 pie per head.

Records of Geological Survey of India, 1885.

THIS volume of the records contains a most interesting and exhaustive note by Mr. Middlemiss on the Bengal earthquake, 14th July 1885 Mr. Robertson, Manager of the Serajgunge Jute Factory, gives a graphic account of the injury done to the factory —

Mr. Robertson, the manager, was fortunately an eye witness from a position between the ... at the time of the earthquake and he asserts that there seemed

Mr. Robertson's account to be a sudden thrust from below, by which the

upper part of the south chimney was first shattered, and jerked off ; and for some time a shower of bricks and mortar continued to fall all round the base. A moment after the large chimney had gone, the factory chimney to the north was affected in exactly the same way ; its upper part being jerked off into the air, and a shower of bricks subsequently descending from the broken edges If these impressions are to be relied on, two points of importance come out. (1) that the earthquake wave with a steep angle of emergence shot away the upper parts of the chimneys by its first and second semiphases combined, but was unable to overturn them as wholes, because of their flexibility, which would considerably relieve the strain, and because of their breaking above which would further ease them ; and (2) if the south chimney was the first to fall—and there seems no reason why a very slight difference in the order of breaking should not have been appreciable by the eye—then it is clear that the shock must have come from some point generally speaking towards the south : it is in fact easy to demonstrate that the difference in time of the arrivals of the shock at the two chimneys would have been appreciable. For the chimneys are 338 feet apart, lying very nearly north and south : now Mallet gives 825 feet per second as the rate at which a wave of elastic compression travels through sand, and though the soil at Serajgunj is clay and sand combined, it would certainly not be a much higher rate than this. Hence about $\frac{2}{5}$ths of a second would have been consumed in travelling between the chimneys, a period of time well above what can be detected by the eye. In reality, however, some small reduction on this value must be made on account of the probable direction of the shock being something east or west of south, a condition which would have diminished the time occupied by the wave in travelling between the chimneys.

Government Botanical Gardens, Saharanpore and Mussoorie.

IN the Government resolution we have the following interesting para. :—

Agriculturists in England, acting mainly on the initiation and teachings of Professor La Gasca, a Botanist of Madrid, have traced out at least 150 distinct varieties of wheat ; and Sir John Le Couteur has proved experimentally that, by adopting the variety found growing on the farm in greatest perfection and cultivating from it exclusively, instead of from promiscuous seed, an increase of 80 to 90 per cent. can be obtained. It is in this direction that Botanical research may be said, at present, to be blank for India, and the attention of the Superintendent will be directed to this very important subject.

Report on the Administration of the Salt Department—1884-85.

The total receipts for the year were Rs 20,27,935 over those of the previous year, the increase appearing under both "Excise and imported salt" and "Rent of warehouses." The increase in duty is due to larger clearances during the year, while the increased receipts from rent of warehouses are attributed to the state of the market which allowed the salt to remain longer in bond. On the other hand there was a small falling off of Rs. 729 in the receipts from miscellaneous sources. The increase of Rs. 21,218 in the charges is mainly attributable to larger refunds of customs duty on salt.

Administration of the License Tax—1884-85

THE principal statistics of this report show some falling off in the number of assessees —

The figures show that there was a falling off of 293 assessees, and there will be a still further decrease when the enquiries in regard to the outstanding balance on the 30th June 1885 amounting to Rs 17,723, have been completed. As the figures now stand there was a falling off as compared with 1883-84, of 29 assessees in Class II, of 30 in Class III, of 26 in Class IV, of 122 in Class V, and 63 in Class VI, while there was an increase of only 2 assessees in Class I.

Forest Administration in the Punjab—1884-85

THE most interesting paragraph in this report relates to the natural and artificial reproduction of forests in the Punjab.

Sir Charles Aitchison has read with great interest the very complete account given by Mr Hill of the natural and artificial reproduction of forests in the Punjab. The conclusions drawn regarding the natural reproduction in the Alpine Forests are apparently sound and it is to be hoped that the expectations of the Conservator will be realised with reference to the *deodár forests*. It is to be regretted that the young chil seedlings in Pakli should be annually destroyed by fire, and the attention of the District and Forest Officers should be drawn to the necessity for preventing this. The *reports of the forests* of the lower hills, the hill rakhs and the bar tracts, also show that healthy reproduction is in progress. For the purpose of artificial reproduction, numerous nurseries have been formed with varying degrees of success. The force of Mr Hill's remarks on the necessity of extending operations is obvious, and the instance quoted of the Dungri forests in Kulu, where the same ground has been planted and sown year after year, suggests a want of thought. In the lower hills cultural operations have apparently not advanced beyond the experimental stage. The usual system of ridges and trenches has been followed. In *the plain rakhs* operations have been fairly successful, but in the Montgomery District, the jhand seed sown broadcast in the reserves, and a large number of farásh cuttings all failed. This is disappointing, but the *importance* of establishing plantations in the plains of the Punjab is so great, that until the absolute impossibility of success is demonstrated Forest Officers should not be discouraged in their efforts to improve the rakhs.

CRITICAL NOTICES.

GENERAL LITERATURE.

Ambushes and Surprises. By Colonel G. B. Malleson, C.S.I. W. H. Allen & Co., Waterloo Place, London.

A MOST readable interesting and valuable book, and one which should be in the hands of every young military officer. The ambushes and surprises selected for description and illustration by Colonel Malleson, are Lake Trasimenus, the Forest of Teutoburg, Roncesvalles, Kerkoporta, Fort Duquesne, St. Gothard, Inkerman, and Arrah and Azamgarh. There is, we think, some fault to be found with this selection. Why Lake Trasimenus and why not Sedan? Sedan was a surprise, if ever there was one. In the imperial orders were put the words "the army will halt and rest on this day," the day of the battle of Sedan. Colonel Malleson admits that the attack by Flamminius on Hannibal was more than expected—it was awaited. The surprise consisted in a movement by which Hannibal was enabled to get into the rear of the Romans during the progress of the battle. Then Wagram, Friedland, and several of Napoleon's battles should be placed in the same category. Apart from this, Colonel Malleson's design in writing the book—to describe and illustrate from history—the effect of a surprise, is most admirably executed. The book closes appropriately enough with a most vivid and powerful description of the surprise of Lord Mark Kerr at *Arrah and Azamgarh, in which the surprised, owing to the skill* and energy of their General, redeemed themselves in what appeared to be a hopless position, and inflicted a crushing defeat *on the surprisers.*

It was just at this moment when he was meditating offensive action, that he discerned the reserves of the enemy forming up in quarter-distance column, whilst from their right a [illegible] was being detached, for the evident purpose of penetrating between him and his baggage train. The situation was now more critical than ever. The detached column of the enemy, waxing bolder as they [illegible] their own against the British, debouched [illegible] of the earth, while Lord Mark had [illegible] [illegible] upon [illegible]. He had [illegible]

but the two mortars had been halted in a very disadvantageous position for the purpose, and to move them so that they could be brought to bear with effect, it was necessary to draw them back a short distance. When he had, in the earlier stage of the fight, ordered such a movement, he noticed that it had been interpreted by the enemy to signify a retreat, and had caused them to rise to their feet and advance with loud shouts. He felt now, however, that at all cost the main building must be carried. As soon, then, as the two 6-pounders had effected a small breach in the main building, he called for volunteers to storm it. Some thirty or forty men rushed at once to the front. They found the breach not quite practicable, but, like true British soldiers, they set to work with their bayonets to enlarge it. Their labours, however, disclosed an inner wall yet uninjured. Upon this Lord Mark ordered them to set fire to the roof and wooden parts of the building; then to fall back. They obeyed the order with alacrity. It was a splendid piece of work, for shortly after they had fallen back and the firing had recommenced from one gun – the other being used to prevent the enemy from pressing too closely on the rear—the flames from the fire the men had kindled, forced the enemy to evacuate the building. Instantly Lord Mark—who had but just arranged for another infantry attack on the building—sent the Bays to the front. The rebels did not stay to meet the shock of their charge, and space was at once cleared for a further advance.

Just then, however, the attack on his rear had become very pronounced. The rebels had seized an embankment which there lined the road, and from it poured in a heavy and continuous fire. To stop it, Captain Wilson Jones, commanding the company of the 13th which formed the rear-guard, at once faced about, charged, and drove the enemy from the embankment. Unfortnnately Jones fell in the moment of victory.

Lord Mark's position was now peculiar. He had pierced the enemy's centre: the way to Azamgarh lay open to him: on his left the rebels, terrified by the catastrophe at the building, were rapidly falling back: but on the right they were still menacing, whilst, in the rear, the carmen and drivers having run away, the baggage remained exposed. Under these circumstances, bearing in mind the object of his mission, Lord Mark resolved to leave a sufficient force to his right, whilst with the main body he should push on to Azamgarh, rally to himself, and return with any loyal sipáhís he might find there, in the belief that these, on a pinch, might drive the carts. He probably argued that the enemy, believing themselves threatened by the movement, would be glad to retreat while they could. Detailing then Major Tyler of his regiment, a cool and capable officer, for the duty of holding the enemy's left in check, Lord Mark pushed on to Azamgarh.

His anticipations were realised sooner even than he had expected. The enemy's left wing, frightened at his forward movement, beat a hasty retreat. No sooner had it disappeared than the carmen and drivers emerged from their hiding-places and assumed their seats on their carts and on their elephants. Then Major Tyler, pushing rapidly after his chief, rejoined him, and Lord Mark led the united force to Azamgarh.

Life of General F. R. Chesney. By his wife and daughter. W. H. Allen & Co. Waterloo Place. London.

A MOST interesting record of a most interesting adventurous and truly noble life. General Chesney was most emphatically an ornament to his profession, and that in something far more than the conventional sense of the word. He was not only an accomplished soldier who loved his profession

with all his soul, but a man of wide and varied culture as well. He came of a good stock—the hard-headed, duty-loving northern Irish, descendants of the old Scotch settlers—a race of men to whom we owe the Lawrences, and many others who did their country "yeoman's service" in the earlier part of this century. The career of his father Alexander Chesney reads like a romance. Nothing more stirring or adventurous is to be found in Fenimore Cooper or Mayne Reid. If ever a man had, in military phrase, his "fill of fighting," that man was Alexander Chesney. He, with his friends and family were settlers in America at the time of the outbreak of the American War of Independence. He threw himself into the fray on the side of the Loyalists with all the ardour of his daring spirit. Twice, in desperate engagements with the Americans, in which the Loyalists were worsted, Alexander Chesney was taken prisoner. The first time he was exchanged, and the moment he was at liberty, he set about the work of organising new local levies for the Royal cause, and was soon in the thick of the fight again. Again he was taken prisoner, and many of his unfortunate companions were shot by their captors after they had surrendered. Chesney was offered his life if he would teach the Americans the drill of the Royal troops. This he refused to do, and he was told to prepare for death at the next town. On the way he escaped, and made his way for miles through the midst of the American forces—now hiding in the depths of the woods, now fording rivers, until he reached his home at Pakolet, to find himself a ruined man, his wife sick and suffering, his family almost starving, his fields untilled, his once happy home a desolation and a ruin. He returned to Ireland and applied to the Government for some compensation for the losses he had sustained fighting for his King in the American war, and, incredible as it may seem, his petition (and all he asked for was some employment to keep himself from starving) was rejected. After this terrible blow, he set out on foot from Dublin to Antrim, walking every mile of the weary journey, to look up some relations from whom he hoped to receive assistance in his dire distress. He was fortunate enough to find that they were still living and that they remembered him. After a time he renewed his application to the Government for employment, and he received the humble appointment as tide waiter, and afterwards as a revenue officer in the Kingdom of Mourne. His first wife had died, and he had married again into the Wilson family, a Scotch family, descendants of the old covenanters who had emigrated to Ireland.

Francis Rawdon Chesney, the subject of this biography, was born in 1789. Francis Rawdon commenced active life at a very early age indeed; he relinquished it very late. As [illegible]

the statement may seem, he was a Lieutenant in his father's corps on active service at Newry (a loyal corps raised in this part of Ireland during the time of the troubles) at the age of nine. He was a very old man when he complained to a doctor that he could not ride over a rough country for twelve hours without experiencing a sensation of fatigue. "How old are you?" inquired the doctor. "Eighty two," was the reply. He was fortunate enough to find a patron in Lord Moira while he was still a boy, and through his Lordship he was entered at the Royal Military College, Marlow, and afterwards went to Woolwich. He passed for his commission in 1804. He then went to Gurnsey and there "met his fate" in the shape of Miss Fraser, daughter of General Fraser. He never married Miss Fraser although he proposed for her several times, and for a time his addresses were accepted, or at least tolerated; but he loved the object of his first love with a life-long devotion characteristic of his loyal and steadfast nature. After his refusal for the third time by Miss Fraser, he married Miss Forster in 1822.

After his marriage he went with his wife to Gibraltar where he remained until 1826 In 1824 his wife gave birth to a daughter and died shortly afterwards. In 1827 he carried out a long cherished and long projected plan. He made an iterinary of all the great Napoleon's battle-fields, and the notes which he drew up, as the result of his topographical studies, are among the most valuable military memoranda of our time. In 1829 he returned to England and went to Ryde. Here he again fell in with his old love Miss Fraser, and here he again proposed to her and was again, and this time, finally refused. The same year war broke out between Russia and Turkey, and Chesney went to Turkey on a sort of semi-official mission from the English Government to survey the Balkan passes and report on the best measures for their fortification and defence. He was too late, as far as the war in 1829 was concerned. The Turks had allowed the Russians to force the passes, almost without opposition of any kind, before Chesney arrived, and all the English officer could do was to study the theatre of war in view of a future struggle between them. Afterwards the Balkans were fortified, but not to the extent recommended in Chesney's memoranda. In 1830 Chesney travelled in Palestine and Syria, and by caravan to the Euphrates. Henceforward, to the end of his wonderful life, we know Chesney mainly as a geographical explorer, and as the projector of the railway line through the Euphrates Valley to India. The general result may be summed up in a few words. Chesney did not succeed as far as the principal object of his exploration was concerned. The Euphrates Valley railway was never constructed. It

was the case of Lesseps and the Suez canal reversed. The Powers were in favor of the Suez Canal and England, guided by Lord Palmerston, was against it. England was in favour of the Euphrates scheme, and the Powers were against it. The combination was too strong even for Chesney. But in the meantime the services which he rendered to the cause of geographical science was invaluable and was cordially recognised not only in England but on the Continent. It is worthy of mention that Chesney was the originator, in modern times at least, of the Suez Canal. He surveyed the country, pointed out the errors made by Napoleon's engineers, and demonstrated the complete feasibility of the scheme. Lesseps generously called him the "Father of the Canal." In 1871 the grand old man gave evidence before a Committee of the House of Commons in connexion with the Euphrates scheme. Towards the close of the year his health began rapidly to decline. From the middle of January 1872 he seldom left his bed, and on the 24th of this month he died peacefully and without suffering.

For all good things must have an end,
And like the ebbing tide
Declining gently to the last,
This true old man he died.

In a brief, but feeling and graceful preface Mr Stanley Lane Poole points for us the moral of this truly noble and most wonderful life. One anecdote which Mr Poole relates [illegible] up for us and illustrates the whole story of his wonderful career. "Once when he read a paper on the Euphrates project at a scientific meeting, a solemn old gentleman rose and said, 'But won't there be difficulties with the Arabs?' '*Difficulties, Sir!*' exclaimed Chesney, '*difficulties?* Do you think I would have had anything to do with it if there had been no difficulties?'"

Reminiscences of Sport in India. By Major General E. F. Burton. London: W. H. Allen and Co., Waterloo place.

A STIRRING Record of a sportsman life in India as it was thirty years ago before the [illegible]. In [illegible] official Civil or Military had to live at the high official pressure which has done so much to extinguish the old Shikarees [illegible] Englishmen in India. In the first place the officials of those good old times had much more leisure than falls to the lot of an ordinary official in our time. In the second place he had to travel even for official purposes by palkee, and often by bullock cart in a manner which enabled him to [illegible] business with pleasure and sport [illegible] the country. General Burton had a turn at every sort of sport which

the most varied sporting experience could afford. Elephant shooting, tiger shooting, bear shooting; and his adventures are described for the most part with that unfailing liveliness, humour, and freshness of feeling which shows how thoroughly he enjoyed himself among the Indian jungles, and what pleasurable recollections he carried away with him on his retirement to England: As a specimen of General Burton's descriptive style, we select the following sample—An account of an unsuccessful attack on a huge elephant:—

It was far for a shot, and also there was a branch of a tree across the opening, at the upper part of his ear; but there was no other chance of a shot: if he should move even a foot his head would no longer be in sight. I watched him for some time, seeing his snake-like trunk playing among the branches of the tree just above his head, every now and then bringing down a delicate morsel in the shape of a branch as thick as my arm or leg. The *shikarries advised a shot, as there was little chance of getting even so clear* a mark in any other position. I laid my double rifle on the rock in front of me, and took a sight at the ear of the noble beast. I then cocked the right barrel; and I do believe that he heard the click of the lock, for the ears were pricked for a moment, and then the flapping commenced again. All was still in the jungle: scarce a breath of wind stirred the leaves. As I pressed the trigger, I could not but think of the difference which this slight movement of my finger would make. I fired—I heard a crack as if my great bullet (conical, steel tipped, and 3½ oz.) had struck a rock. The clump of jungle shook, as if by an earthquake; and the mighty brute rushed forth with a piercing, shrill cry. On he rushed, like a tempest, the jungle yielding and groaning before him; the sharp crack of broken trees mingling with the continued sweeping sound of the smaller branches which were dashed, right and left, from his levelled path. After having charged along for about three hundred yards, he stopped for a moment, and then went on again at a more moderate pace, in the direction of Wursanaad; and, in five minutes all was still.

Now to see the effect of the shot, I went, creeping under the thorn bushes, to the spot where he had stood, and saw the huge footprints, showing how he had staggered on receiving the blow. One of the pulleers now drew my attention to a bush; and, looking at it, I saw that it was covered with blood: no scanty drops, but as if bloody rain had fallen on it. I crumpled up some of the leaves in my hand, which was instantly incarnadined from wrist to nail! We followed the track: no difficult matter where the jungle was levelled, some feet in width, as if by a broad roller. Still every leaf dropped blood, and in a place where the elephant had stood for a moment, there was a puddle of it, as if a basinful had been spilt on the ground. "He will die," said all the shikarries. Probably he will; but shall I ever get his tusks out of the claws of the renter of the jungle? I *measured one of his footprints, roughly, with my hand*—eight spans round—which, by the well-known rule, would make his height nearly ten feet. A noble elephant! We followed on the track for some time, but to no purpose in the jungle, where the elephant could go three feet to our one, and, it growing dark, we gave up the pursuit; and, though we explored after him the next day, we could never gain any news of him again. His footsteps were lost among those of a herd; the bleeding of his wound had stopped, and he, being, I doubt not, hit too high up, was lost to me and my heirs for ever!

India as described by Ptolemy. Edited by W. J. McCrindle, M. A. Calcutta: Thacker, Spink & Co. London: Trubner & Co. 57 and 59 Ludgate Hill, E. C.

THIS is a publication which will certainly be very "caviare to the general;" indeed, nevertheless it is a most curious interesting and highly instructive publication. It is an attempt on the part of a learned and painstaking scholar by means of analysis, comparison, and the minute examination of Ptolemy's nomenclature to identify India as described by Ptolemy, with India as known to ourselves. Much of Mr McCrindle's speculations are professedly guess work, but even in connexion with the process of merely guessing at Ptolemy's localities, there is much to be learned from the Editor's admirable Topographical Survey of Ancient India.

Microcosmus. By Professor Hermann Lotze. Translated from the German by Elizabeth Hamilton and E. E. Constance Jones. Edinburgh: T. & T. Clarke, 38 George Street. 1885.

WE have to hold over, until next issue a notice of this very remarkable book. It has created a profound sensation among philosophers, not only in Germany, but in England, Russia and France.

VERNACULAR LITERATURE.

Charitangini. By Purna Chandra Gupta. Printed and published by Umesh Charan Pal, at the New Valmiki Press, No. 39 Shibnarayan Dass Lane, Calcutta, 1291 B. S.

THIS is a very badly written book published with a very good intention. It is the object of the author to give advice to Bengali women on subjects which concern their sex. This advice he has preferred to give them in the pleasing shape of a story, rather than in the unattractive form of a lecture or book of didactic tendency. It would have been better, however, if the author had not thought of giving advice and instruction to others. He is apparently a boy, himself standing in need of advice and instruction, and it must be, we are afraid, very long before he can be qualified to instruct others. Boy authors are, however, very numerous in this country, and that is why so large a portion of Bengali literature is so worthless and unsound. Boy authors are moreover a curse unto themselves, because early authorship makes boys uncommonly vain, and the overpowering feelings of self-importance and self-satisfaction which are begotten in the unformed minds of boys by authorship of any quality or degree arrest the development of their mind [illegible] and produce [illegible] ... loves distinctions in their practical every day life. The pride

of authorship blinds Bengali boys to the poverty and, in many cases, even wretchedness of their families, and thus they neglect their domestic duties and make themselves and those whom they are bound to support, extremely miserable. Boy authorship should be, therefore, earnestly and strenuously discouraged.

The best way of doing so, however, is not to harshly rebuke or ridicule boy authors, as is sometimes done in Bengali newspapers and periodicals, but to explain to them, in a perfectly generous and sympathetic spirit, what their shortcomings are, and make them understand that they are not yet fit for the difficult and responsible work of authorship. We propose to adopt this course in regard to the young author of the work under notice.

Description is a very important and considerable element in a work of fiction. Take, however, the following descriptive passage from Mr. Gupta's *Chira Sangini* :—

" Satis and Lalit, holding each other by the hand, arrived at the river bank. It was now nearly midnight. The river Burigangá, below the town of Dacca, flows from west to east. On the northern bank of this river stands the town of Dacca. The river bank along the border of the town, is built up with masonry work from one extremity to the other, and at intervals are flights of steps provided for the convenience of bathing of the inhabitants of the town. At certain places are masonry benches on grass covered inclosures for the convenience of persons seeking rest after work. The rich, the poor, the virtuous man, and the sinner, are all enjoying rest without hindrance or opposition. Here and there European lovers of both sexes, holding each other by the hand, are inhaling pure air and talking of love. Below the strand are rows of boats lying close to each other. Fatigued with a whole day's work some of the boatmen are engaged in cooking, some having finished their meals are enjoying rest, whilst some, laying themselves down on the uncovered portions of the boats, are singing out of the fulness of their hearts in the *Báramási* air. The river is murmuring as it is flowing along from the west. The air flowing gently from the south-east, is bringing refreshment to the weary boatmen. The clear moonlight upon the river-breast is dancing upon the gently-rolling ripples, making the river-breast look as if covered with innumerable diamonds. The night is advancing ; nature is assuming a solemn appearance ; the heart of the sorrow-stricken man is swelling with grief ; new and ever new sentiments are arising in the mind of the man of sentiment ; the fire of fancy begins to flash in the mind of the poet ; deep currents of thought begin to flow within the man of thought."

The Burigangá at midnight is a night-scene. But when we are brought to the bank of the Burigangá, we are presented not with

a night scene, but with a scene which is best seen in daylight. A river bank built up with bricks, masonry benches, grass-covered inclosures, men of all classes and dispositions promenading and whispering love into each other's ears—such things require to be seen in daylight if they are to be described, and a scene composed of such sights is accordingly not a night-scene but a day scene. A river bank at night presents to the eye and mind of man a scene of a very different kind from that which it presents in daylight, and our author should therefore see, that although he brings us to the bank of a river at dead of night, it is not a river at dead of night but a river in daylight that he describes to us. This is his *first* mistake. In the next four or five lines in which boatmen are described as cooking or singing, the scene presented to us is, indeed, a night scene, but it is a scene which properly belongs to the early part of the night, and not to the late hour of midnight at which the author brings us to the bank of the Burigangâ. Boatmen ordinarily finish their meals within two or three hours after dusk, and at midnight are as quiet and devoid of consciousness as the sail cloths on which they lie down and sleep. This part of the description is therefore unnatural and this is the author's *second* mistake. What follows is a scene which may be witnessed in a river at midnight—the moonlight playing upon the river, and all nature assuming a solemn appearance. But what comes last thoroughly spoils this accidental bit of correct writing. For although there is at this time on the bank of the Burigangâ, the sorrow stricken Satish whose heart is swelling with grief, we see there no man of sentiment who may be inspired with new sentiments, no poet whose heart may be fired with fancy, no thoughtful man in whom profound thoughts may be awakened by the solemn beauty of that moonlit river at dead of night. The poet, the man of thought and the man of sentiment are therefore forced and unnatural impositions, which make the description a plain falsehood and a naked unreality. This is the author's *third* mistake. He will now, we hope, understand that the piece of description we have quoted from his book is full of mistakes, and therefore undeserving of the name of *description*, the essence of which consists in a plain, unvarnished, and accurate statement of what is seen, heard or felt by a man of taste and culture.

Now take a short discursive passage. The writer is stating what is meant by *Pranaya*, or love:—

"What sort of a thing is Love? The attraction of one person's *prân* towards another person's *prân* is [illegible] (love), the union of one person's *hridaya* (heart) with another person's *hridaya* (heart) is *pranaya* (love). In the same way when one object is related to another object each of the two objects attracts the other, and the two objects become attracted

[towards each other] by that attraction become firmly united, so the permanence of the *bhálabásá* (love) which arises from one person's *prána* being attracted towards another person's *prána*, is called *pranaya* (love). Moreover, if two objects are not made of the same substance or material, or are not possessed of the same properties or qualities, one of them cannot attract the other."

Just see the confusion that is made in this passage :—

Bhálabása is the attraction of one person's *prána* towards another person's *prána*.

Pranaya is the union of one person's *hridaya* (heart) with another person's *hridaya* (heart)

A distinction is first made between *Prána* and *Hridayá*, though for the purpose of defining Love, they may be roughly regarded as one and the same thing. Still a distinction *is* made, and then a distinction is set up between *bhálabásá* and *pranaya*, by connecting the former with *prána* and the latter with *hridaya*. We know of nothing which warrants this course, and are accordingly unable to find any meaning in it. But the confusion does not end with connecting *bhálabásá* with *prána* and *pranaya* with *hridaya*. It is increased by making the connection between *bhálabásá* and *prána* consist in *attraction*, and the connection between *pranaya* and *hridaya* in *union*. That is to say, *bhálabásá* is the *attraction* of one person's *prána* towards another person's *prána*, but *pranaya* is the *union* of one person's *hridaya* with another person's *hridaya*. Why this distinction is made between the natures of the two connections is not explained. We are not told why the connection caused by *bhálabásá* does not proceed beyond *attraction*, or why, like the connection caused by *pranaya*, it does not assume the form of a *union*. It cannot be said that no distinction is really meant to be set up between *prána* and *hridaya* on the one hand, and between *bhálabásá* and *pranaya* on the other, and that the use of different words like *prána* and *hridaya* and *akarshan* (attraction) and *milana* (union,) &c., simply means an exuberance of expression caused by the author's ardour and enthusiasm in talking of Love. Even if it were so, the author could not escape blame. For he must be an incompetent writer who suffers his feelings to obscure his style and distort his language. But the fact is that a distinction is actually made, as is proved by the expression :—"The permanence of the *bhálabásá* (love) which arises from one person's *prána* being attracted towards another person's *prána*, is called *pranaya* (love)." It seems from this that, according to the author, the difference between *bhálabásá* and *pranaya* consists in the latter being a durable form of the former. This conclusion is borne out by the simile used immediately before, in which two objects are represented, first, as

attracting one another, and next, as becoming firmly united in consequence of that attraction The mere attraction, it would seem, is *bhálabásá*, the firm union is *pranaya*. Thus the distinction first made between the natures of the two connections is subsequently maintained, but the distinction originally made between the two objects (*prána* and *hridaya*), with which the two connections were severally established, is next dropped. For it is stated in the second sentence that "the permanence of the *bhálabásá* which arises from one person's *prána* being attracted towards another person's *prána*, is called *pranaya*" It is *prána* with which both *bhálabásá* and *prána* are now connected, and thus the distinction first made between *prána* and *hridaya* is given up But the most important point of all is this: What is the author's warrant or authority for making a distinction between *bhálabásá* and *pranaya*, by calling the former a transient and the latter a permanent feeling, or by describing the latter as a permanent form of the former sentiment? We have not found any Bengali writer of note making such a distinction between *bhálabásá* and *pranaya*, and the fact is that no such distinction exists between them According to our author himself, in the sentence in which *pranaya* is said to be *bhálabásá* in a permanent form, the nature of the sentiment called *bhálabásá* is the same as the nature of the sentiment called *pranaya* This similarity constitutes their identity The element of time, supposing it to exist, has nothing to do with the nature of a sentiment. A sentiment is a sentiment whether it exists long, or for a short time only And if you choose to say that *pranaya* is a more lasting sentiment than *bhálabásá*, we shall content ourselves with remarking that, for all that, *pranaya* is *bhálabásá* and *bhálabásá* is *pranaya*

Let us next examine the analogy, used by the author, of two objects attracting one another and becoming firmly united. He says that 'when one object is related to, or has a relation with, another object, one of them attracts the other' We do not understand what is meant by saying, 'one object is related to another' We know not of any objects that are not related to each other in one way or another In the absence of all other relations, there must be between objects a relation in time and a relation in space But do all objects that are related to one another in time and space attract each other? If not, what does the author mean by saying that when one object is related to another, one of them attracts the other? Attraction between objects is the result, not of bare relation, but of specific relation Objects specifically related to each other may attract one other. The author does not, however, speak of specifically related objects, and what he says about the attraction of one object by another is therefore absolutely meaningless Again, in the

last sentence quoted above, the author says that "if two objects are not made of the same substance or material, or are not possessed of the same properties or qualities, one of them cannot attract the other." This also appears to us to be a wholly meaningless statement. It is said that some of the heavenly bodies attract the waters of the sea. Are sea-water for instance and the moon which attracts sea-water, made of the same material and possessed of the same qualities? It is said that loadstone attracts iron. Are loadstone and iron made of the same material and possessed of the same qualities? Again, the the statement that two objects are made of the same material has a conceivable meaning, although two objects made of the same material would be, strictly speaking, not two objects but one But the statement that two objects are possessed of the same qualities is almost meaningless. Quality is something that has only a relative existence, and the statement that two objects are possessed of the same qualities can convey no meaning, unless the person making the statement specifies at the same time some person or thing in relation to whom or which the two objects are viewed. It may be said, however, that two objects may be possessed of the same qualities in reference to each other, and not in reference to a third object. But take the case of loadstone and iron. Loadstone attracts iron, but iron does not attract loadstone. Thus the quality of attraction resides in loadstone and not in iron. So far, therefore, as that quality is concerned, loadstone and iron are *not* possessed of the same qualities, and yet loadstone attracts iron. It is not true, therefore, as our young author says, that things which are not possessed of the same qualities, or are not made of the same substance or material, cannot attract one another.

This will perhaps make it clear to our young author that his discursive writing is as incorrect and unhappy as his descriptive writing. We will now examine the sort of morality which it is his intention to teach Bengali women.

Satish is the hero and Unmadini is the heroine of the story. They are neighbours, and belong to poor families. They have known and loved each other from infancy. Shortly before his death, Unmadini's father expresses a desire to marry her to Satish, and asks Satish's father to regard her as his daughter-in-law. Unmadini's mother, however, instantly expresses her dissent from her husband's proposal, and says that as Satish's father is a poor man, and Satish himself is a child whose future is uncertain, it is unreasonable to conclude a proposal of this kind so soon. The question is not further discussed and rests there. Shortly after, Unmadini's father dies, and Unmadini and her mother, being reduced to a state of destitution, leave their village to reside with a person who is Unmadini's maternal

uncle. Satish's father also dies shortly after, leaving Satish and his mother in very humble circumstances. Seven years pass away, Unmadini attains her seventeenth year and is unmarried (an impossibility in a Hindu family which is not accounted for), and her maternal uncle looks for a bridegroom and selects one in well to do circumstances. Unmadini's mother gives her consent to the marriage. We will now ask the reader to consider that Unmadini's father's proposal to marry her to Satish had been made seven years before, that Unmadini's mother had expressed to her husband her dissent from his proposal, that Unmadini's mother's dissent not having been rejected or overruled by Unmadini's father, he may be fairly presumed to have left the question of her daughter's marriage undecided, that the condition of Satish's family in which Unmadini's father proposed to marry her to him was materially altered during the seven years which elapsed after the death of Unmadini's father, and that Unmadini's mother, a Bengali woman of ancient type, knew not that her daughter loved Satish and had resolved not to marry any other person. Let the reader take note of these facts and say whether Unmadini's mother and uncle were not justified in selecting for Unmadini a person possessed of pecuniary competence and with whom they expected her to live in comfort free from the pangs and privations of such poverty as had overtaken Satish after his father's death. But when Unmadini who has been all along praised as an uncommonly good girl, hears how her mother and uncle propose to give her in marriage, she frets fearfully within herself and walking away from her mother angrily and defiantly, retires into a lonely room. Her mother follows her, and on seeing her weeping, speaks to her one mild word of affectionate rebuke. This sets the girl on fire; she wipes the tear drops off her eyes and flinging away all sense of modesty and shame' harangues her mother in this way:—

'Mother, have I become an object of such persecution to you that you have prepared yourself to drown me at once in the shoreless sea! Have I become a cause of such suffering to you that you are whetting the knife in order to plunge it, with your own hand, into my throat! Did you not, whilst carrying me in your womb, suffer ever so little pain that, by remembering it, you could feel ever so little affection for me? Mother, have I become such a burden to you that you cannot bear it longer! If so, tie a jar to my throat and cast me into the sea, or throw me before some wild beast that it may at once devour me and put an end to all my sufferings. Mother! moved by the low greed of gold you are striking the axe at the root of the whole happiness of my life and tainting yourself with the inexpiable sin of breaking [illegible], but if I die suddenly how will this evil deed of yours be

fulfilled? How will you get your livelihood? Can you not, even by reflecting on these points, subdue this selfish impulse of yours? Mother! you bore me in your womb, I am your child born of your womb, what else need I say to you but this—you are my sole protector in this world, but if you yourself eat me up, who else is there to whom I can unburden my heart? Who else is there to whom I can make known how I am suffering in mind? Who else is there, that pained at the sight of my sufferings, shall take me up consolingly in her arms? Mother, I am your daughter. Consider that the happiness and misery of women depend entirely upon their marriage. Since there can be no marriage after marriage has once taken place, the future should be considered as carefully as possible before any decisive step is taken. But without seeing or learning anything about a person of unknown parentage and status, you have prepared yourself to make me over to him for life simply because he is a rich man. Mother! I tell you distinctly, if any one has been born in this world as my husband, that person is he to whom my father committed me before he died. If it be possible for you to enjoy happiness and comfort by marrying me, that happiness and comfort can only come from the person whom I loved seven years ago. You will get nothing by anything else; I shall probably lose my life. If you have the slightest regard for me, if you have the slightest affection for me, let us go this very day to Mohanpur, or, when day dawns, you shall not see me here."

We now ask the reader and the author himself to say whether this is not an outrageously unjust and unbecoming attitude for a young girl to take towards a mother who has not yet done anything which can be regarded as wrong, unfair, or improper. Surely Unmadini is a very bad girl, and her story instead of being good reading for Bengali women, as our author fondly believes, will be very noxious food for their minds. Our author is perhaps too young to be able to read his story in this light, and that is why we have taken so much pains to explain to him that authorship should be the occupation of mature years and not of boyhood and youth.

The faults of the author's style and language are also traceable to his youth and immature education. Of his style the reader has undoubtedly formed an idea from the three translated extracts which have been given above from his work. The style is characterised throughout by looseness, declamation and sentimental extravagance. The language of the author is in most places inappropriate and wanting in accuracy, as will appear from the following quotations and our remarks thereon:—

(*a*) তোমার এখন দ্বার পরিগ্রহ করা একান্ত কর্ত্তব্য। দ্বার should be দার—a gross mistake.

(*b*) এই বিষয়ের সংবাদপত্রে মতন করিয়া তুমি উত্তোলন করিবার জন্য ট্রেক্ট এক মাত্র সঙ্গিনী। উত্তোলন *is an inappropriate word*; বাহির would be a fit word.

(*c*) The word দ্রাবতা in the line অধিক রাত্রি জাগরণ করিতে দ্রাবতা প্রযুক্ত অবিলম্বেই নিদ্রাবেশ হইল is a mistake. দ্রাব is the correct word.

(*d*) The word নিমিলিত in the line চক্ষু নিমীলিত করিয়া দেখিলেন যে সেইই সেখানে নাই is a gross mistake. উন্মিলিত is the right word. নিমীলন means closing the eyes, উন্মীলন means opening the eyes. This mistake is twice made by the author.

(*e*) বিবাহ—শব্দের প্রকৃত নিরুক্তা কি? We cannot make out what is meant by the নিরুক্তা of a word. The author probably meant to say, বিবাহ শব্দের প্রকৃত অর্থ কি? The dash between the words বিবাহ and শব্দের is also inexplicable. The author's boyish dash alone accounts for it.

Instances of bad grammar and the wrong use of words could be multiplied indefinitely. But the instances already given will suffice to show that the author is not well up in grammar, and is ignorant of the meanings of the commonest words in the Bengali language.

We will now ask our author in a perfectly friendly spirit, to say whether he does not now see that his description is wrong, his philosophy is wrong, his morality is wrong, his style is wrong, his grammar is wrong, his language is wrong; that he is not yet, *in fact, qualified to be an author.* He is but a boy, and all his time and attention should be devoted for many years to come to acquiring knowledge himself, and not to the imparting of knowledge to others. He has taken to authorship too soon and in a state of total unpreparedness for the great task. He is not, however, *the only sinner among his countrymen in this respect.* There are many Bengali boys and young men who become authors too soon and with too little preparation. For them, also, this critique is intended. We are influenced by no personal motives in pointing out at such length the deficiencies of the work under notice. We find such deficiencies in many other Bengali works, *and are anxious that the young men who write such books* should clearly see that they are unfit to be authors, that authorship will do them great harm and no good, and that they would be seeking their own and their country's interests best, by devoting themselves heart and soul and for many long years, to the acquisition of knowledge and the improvement of their minds. If they take to authorship after long and earnest study, we shall

welcome them with unmeasured pride and pleasure as true teachers and capable benefactors of their country.

Bángáli Meye. By Manmatha Náth Datta. Printed by Shashibhusan Bhattácharya, at the Madhyasta Press, and published by the Bengal Publishing Company, 200, Cornwallis Street. Calcutta.

A SOCIAL purpose underlies this work also. The purpose is the same as that of the work noticed above, to condemn the Hindu practice of marrying girls without their will and consent. As in *Chira-sangini* so in *Bángáli Meye*, a young girl loves a young man, and as in *Chira-sangini* so in *Bángáli Meye*, the guardians of the heroine endeavour to marry her against her will and consent to a person whom she would not have. But the resemblance ends there. The heroine of *Chira-sangini* rebels against her guardians and, running away from them, marries the young man whom she loves. But the heroine of *Bángáli Meye* submits to the will and dictation of her guardians and marries and endeavours to live happily with the person whom they have selected for her.

We cannot help saying that the noble spirit of self-sacrifice shown by Saralá the heroine of *Bángáli Meye*, in her voluntary submission to the husband given her by her father, is a far better thing, and has impressed us much more favorably than the obstinately rebellious spirit shown by Unmádiní, the heroine of *Chira-sangini*, in running away from her mother and maternal uncle and the man whom they had chosen for her. The example of Saralá may be recommended to all for imitation, that of Unmádini should be shunned by man and woman alike. The story of Saralá's submission to her husband elevates the mind by its noble pathos; the story of Unmádini's flight from her would-be husband, fills the mind with hatred and disgust. So far *Bángáli Meye* is a much better work than *Chira-sangini*. It is not, however, free from very grave faults. The author has been, in our opinion, unnecessarily hard upon Saralá's father for not marrying her to Indra Náth, the young man whom Saralá loves. We find Saralá's father, Hara Kumár Mitra, at first willing to marry her to Indra Náth. He even exerts himself to get Indra Náth for Saralá, and in that view asks Indranáth's friend Syámá Charan, who is a brother of Hara Kumár's eldest son-in-law who is dead, to do all in his power to settle the match. One day Hara Kumár himself goes with Syámá Charan to Indra Náth's father's house, after giving him due notice that he was coming to him to settle the question of his daughter's marriage with his son. Such a visit means a little humiliation for the boy's father, as it is the girl's father who, according to Hindu notions, ought to be more concerned about

settling a match than the father of the boy. Still Hara Kumár does not mind humiliating himself a little if he can by so doing secure the best boy for his daughter. But when Hara Kumár accompanied by Syámá Charan comes to Indra Náth's house, Indra Náth's father is not at home. Hara Kumár waits for him till night-fall, and still he does not find him. Naturally he feels offended, and asks Syámá Charan what Indra Náth's father means. Syámá Charan says:—'Yes, I cannot understand what they mean, they say nothing clearly.' Hara Kumár, who has felt deeply insulted, then asks Syámá Charan if there is any other boy whom he can recommend for his daughter. Syámá Charan at once replies.—"Why not? Sarala may be given to Rájnáth Babu, the fourth Master of the English School." Hara Kumár next satisfies himself that Rájnáth would not be a bad selection, and asks Syámá Charan to settle a match with him, expressing great regret at the same time that he cannot get so good a boy as Indra Náth. Syámá Charan, who is Indra Náth's friend, himself feels the impropriety of Indra Náth's father's behaviour towards Hara Kumár, and though still inclined towards Indra Náth, cannot deny the justice or reasonableness of the course which Hara Kumár intends to take, and does indeed open negotiations himself for the marriage of Hara Kumar's daughter with Rájnáth. Those negotiations close successfully, Rájnáth agrees to marry Sarala, and the sacred *Patra* or marriage contract is executed between the two parties with the usual formalities. Now, however, the father of Indra Náth perceives the error he has made, and does everything in his power to induce Hara Kumár to annul his contract with Rájnáth. Hara Kumar refuses to do so, and very rightly. But our young author is all anger and indignation because Hara Kumár does not annul the contract and marry Saralá to Indra Náth. He thus hurls his invectives against Hara Kumár:—

"Mitra Mahasaya refused to hear anything. Syámá Charan Babu pleaded hard, his eldest sister pleaded hard, but nothing found a place in his heart, to one and all he replied!—'How can I break my plighted word?' But he thought not for one moment how often he breaks his promise. By keeping to this plighted word he was ruining a girl, stopping for all time the future progress of a boy, setting a very bad example to society, and throwing up a fearful barrier against social reformation, and that is why he was so eager and anxious to redeem that plighted word."

It is certainly very unfair to Hara Kumár to say that he was keeping to his plighted word with the intention of doing all the mischief which our young author would connect with his refusal to annul his contract with Rájnáth, or even that

he knew that so much mischief would flow from it. We have fully explained why Hara Kumar had to turn away from Indra Náth and settle with Rájnáth for his daughter's marriage. The author tells us that Indra Náth and his father themselves admitted having committed a grave error in maintaining an attitude of indifference towards Hara Kumár, when Hara Kumár himself was so solicitous of closing with them. We have seen that on failing to get Indra Náth, Hara Kumár carefully ascertained that Rájnáth would be an eligible candidate for his daughter's hand. Indra Náth's intimate friend, Syámá Charan himself, saw the reasonableness of Hara Kumár's course, and opened negotiations for his daughter's marriage with Rajnath. Why then this anger and indignation against Hara Kumar for his very just and manly refusal to annul a solemn contract solemnly executed? It is certainly very unfair, at any rate very childish. And so strongly is our young author prejudiced against Hara Kumár that he does not hesitate to say the most incredible things in order to blacken him in the eyes of the reader. He says that when the marriage contract with Ràjnàth was about to be executed, an infant in Hara Kumár's house died, and wailings arose in the female apartments. The gentlemen present at the ceremony said that that was an inauspicious time for entering into an auspicious engagement. But Hara Kumár, who was a monster of inhumanity, would listen to none, and had the *patra* engrossed and executed then and there! But our young author should bear in mind that rules of justice apply as much to authors as to the characters who are introduced into works of fiction; and that in judging between Hara Kumár and his creator Babu Manmatha Náth Datta, the just reader will here at least pronounce Hara Kumár perfectly innocent, and say that Babu Manmatha Náth Datta has been unjust to Hara Kumár and unjust to the lowest and vilest humanity that exists anywhere in the world. The mind that can conceive a human being acting as Hara Kumár is represented by our young author to have acted on the occasion of the marriage *patra*, must be a fearfully ill-regulated mind.

And then, why does Saralá weep and wail because her father has not selected for her the young man whom she loves? And why does not she quietly lend herself to the course which her father has chosen to take in regard to her? Our author calls her the *Bángáli Meye*, or *the typical Bengali girl*. And to show that she is a typical Bengali girl, he makes her accept and submit to her husband after her marriage, in that spirit of noble self-sacrifice which we have already praised so highly. She submits to her husband because, as a model Bengali girl, she knows that it is woman's first duty to love and revere her

husband however unworthy or unloveable that husband may be. But is it not also one of the foremost duties of a model Bengali girl to cheerfully and submissively do what her parents command her to do even though they command her to do what she would not of herself? Have model Bengali girls duties to do only by their husbands and no duties to do by their parents? Why does not then Sarala acquiesce in her father's choice as cheerfully and submissively as she gives herself up to her husband? Sarala is *not* the model Bengali girl that our young author intended to make of her. And the reason why our young author has failed in his purpose is that his ethical code like that of most young Bengalis of our time, is a code of gross selfishness and that *in* that code there is no room for sympathy, or if sympathy has any place in it it does not extend beyond the married couple. This is also the reason why most Bengali works of fiction written with some such purpose as we detect in the work under notice are failures.

The author would make us believe that Indra Nath is a very good boy, and it is because he seems confident that he has succeeded in making us believe this, that he has been able to take up such a fiercely indignant attitude towards Hara Kumar after Hara Kumar's refusal to annul the marriage contract with Rájnáth. But we are after all very unfavourably impressed with regard to the boy Indra Náth. His collecting subscriptions on the occasion of Babu Surendra Náth Banerji's imprisonment or his passing the Entrance and First Arts Examinations, are no real proof of the stuff he is made of. The stuff a man is made of is known by his behaviour in delicate or difficult situations. Only once we find Indra Náth in a slightly trying position, and on that occasion we find him failing after a fashion which is at once most shameful and [illegible]. After the execution of the marriage contract with Rajnath Indra Náth was informed of the event by his friend Syama Charan in a letter in which was enclosed another letter to him from [illegible] the eldest sister of Sarala. Let us now hear the author himself:—

The examination was at hand—it was noon, and Indra Náth was sitting in his room absorbed in study. [illegible] came in, there was a letter for Indra Náth [illegible] own hand and found it to be in Syama Charan's [illegible] [illegible] he opened the letter, [illegible] another letter, that letter was in Sarala's handwriting. His heart began to tremble, his curiosity to know the contents of the letter became irrepressible. As he thus [illegible] have happened his heart trembled. The [illegible] his head, he saw [illegible] [illegible]

not what to do. At last with a despairing heart he called in a friend of his, and in the most pitiable manner gave him the letter and asked him to read it." Is not this a shameful exhibition of weakness, of mental and moral worthlessness? Is it not weakness even more lamentable than what we should expect to find in the weakest among women? It is such weakness, however, that our boy novelists and boy dramatists consider to be the very perfection of character, a fact which should alarm and engage the very serious attention of Indian educationists, lovers of Indian progress, and leaders of Indian society. And it is because Hara Kumár does not annul a solemn marriage compact in order to marry his daughter to such shameful weakness and worthlessness, that our young author hates him so fiercely, and expects us to hate him also! We sincerely trust that Babu Manmatha Nath Datta will now see that he is not yet fit to be an author, and that he would be promoting his own and his country's interests best, if he should be so good as to accept, in a kindly spirit, and to follow the advice which we have given to the author of *Chira-sangini*. That advice we also give in a friendly spirit to all young writers of drama and fiction in Bengali.

Pratibhá.—By Baradá Kánta Sen Gupta. Printed by Amara Nath Chakrabarti, and published by Satyendra Nath Ráya, at the People's Press, 78 College Street. Calcutta, 1291 B.S.

LIKE the two works noticed above, this one is also written with a social purpose. In structure and execution, however, it is immensely superior to the two preceding works. The course of events in this story is of the most natural kind, and does not, like the two stories examined above, conflict in any way with any custom, usage or practice of Hindu society. The little child Pratibhá has only her mother. They are maintained by a small money contribution from Pratibhá's maternal uncle, and by the produce of a small kitchen garden. The surplus produce of the garden, after the supply of their own wants, is distributed gratis by Pratibhá's mother among her neighbours. Little Pratibhá carries the fruits and vegetables every morning in a basket to the neighbours. Among others she carries her present of fruits and vegetables now and then to Jagadamba, the anglicised wife of a Brahmo Babu, who has visited Europe and works in the Currency Office on a salary of Rs. 750 per month. The Babu has a son—a child slightly older than Pratibhá, named Gunendra. Gunendra, who has been ill for a long time, likes Pratibhá's fresh vegetables immensely and desires to know her. With the charming ardour and simplicity of childhood, he secures an interview with the little girl

Pratibhá is a model Hindu girl—all love, all simplicity, all obedience all resignation. She is portrayed with true dramatic skill As a child she is sweet and charming; as a grown-up girl she is charming and noble and grand. Her calm resignation under her early misfortunes moves us far more strongly and effectually against infant marriage, than all the rebellious movements, theatrical laments, and hysterical harangues of heroines like those of *Chira-sangini* and *Bángáli Meye.* Babu Barada Kanta Sen Gupta has written a tale which is thoroughly Bengali except in one particular, and that is why his tale has been so charming and impressive. The tale, though short and unpretending, will have a chastening and elevating influence on the mind We shall never forget Pratibhá, for she is one of the sweetest, loveliest and noblest characters in Bengali novel literature. We have not seen children's love delineated anywhere else in Bengali literature with such ease and grace and fidelity to nature as we do in *Pratibhá* The only un-Bengali part of the story is the very last portion, in which Pratibhá is represented as writing a letter to Gunendra desiring an interview with him. A Bengali widow of the elevated type of Pratibhá is a genuine stoic, who will bury for ever even her fondest desires and remembrances with the commencement of her widowhood, and fill up the measure of her noble self-sacrifice by calmly suppressing the most sacred fire that may be burning in her heart. The un-Bengali turn given to the story in this part is due to the author's English education, and is indicative of a kind of mental weakness which in Europe in the present day is mis-styled *refinement of feeling* Taken by itself however, it is not a very bad turn, and may be excused We therefore recommend *Pratibhá* to all our readers, and especially to the many young Bengali novelists who write novels with a social purpose. Those novelists may get many good and useful hints by reading *Pratibhá* with care and attention.

WE are reluctantly compelled to hold over, owing to exceptional pressure on our space this issue, the following Books, Periodicals, &c., received for review, to our next issue —

The City Quarterly Magazine A View and Review of Affairs, [illegible] 1885 London [illegible] ind, 22½ [illegible] 1885 [illegible] Rev. Donald G. Mackay, [illegible] and Precentor of S. [illegible] dral, Perth, N. B. Author of Diocesan Maps of England, Scotland and Ireland London: W. H. Allen & Co, 13 Waterloo Place, S.W. 1885

Tales of the Far [illegible] By a Warden [illegible] London Harrison & Sons, 59 Pall Mall 1885

The [illegible] For October and November London W. H. Allen & Co, 13 Waterloo Place. S.W.

Journal of the East-India Association. Nos. 4-5, for October. London: W. H. Allen & Co., 13 Waterloo Place, S.W. 1885.

Indian Architecture of to-day as exemplified in new Buildings in the Bulandshahr District: By F. S. Growse, B.C.S., C.I.E., Part I. Allahabad; 1885.

A Monthly Journal respecting Civil Service Competitions and all other Examinations. For October and November. Allahabad. 1885.

External Land Trade of British India. For the four months, April to July. 1885.

A Bengali Grammar, also an Assamese Grammar (being the first and last parts of a Bengali Manual.) By G. F. Nicholl, M.A. London: W. H. Allen & Co., 13 Waterloo Place, Pall Mall, S.W. 1885.

Hyderabad (Deccan) Under Sir Salar Jung. Volume II. By Moulvi Cheragh Ali. Bombay. Printed at the Education Society's Press, Byculla. 1885.

Outlines of a History of the Hindu Law of Partition, Inheritance and Adoption, as contained in the Original Sanskrit Treatises. By Julius Jolly, Ph.D. Calcutta: Thacker, Spink and Co. 1885.

The Roots, Verb-Forms and Primary Derivatives of the Sanskrit Language. Being a supplement to his Sanskrit Grammar. By William Dwight Whitney, Professor of Sanskrit and Comparative Philology in Yale College, Leipzig. Breitkopf and Hartel. London: Trübner & Co., 57 and 59 Ludgate Hill, E.C. 1885.

An Anglo-Indian Dictionary. A Glossary of Indian terms used in English, and of such English or rather non-Indian terms as have obtained special meanings in India. By George Clifford Whitworth, Bombay, C. S. London: Kegan Paul, Trench & Co., 1, Paternoster Square. 1885.

Once a Month.—An Illustrated Australasian Magazine, for September. Conducted by Peter Mercer, D.D. Melbourne. William Inglis & Co., 37 & 38 Flinder's Street, E.

Life of William Carey, D. D., Shoemaker and Missionery. By George Smith, L.L.D., F.R.G.S., C.I.E. London: John Murray, Albemarle Street.

A Dictionary of Islam. Being a Cyclopædia of the Doctrines Rites, Ceremonies and Customs, together with Technical and Theological terms of the Muhammadan Religion. With numerous Illustrations. By Thomas Patrick Hughes, B.D., M.R.A.S. London: W. H. Allen & Co., 13 Waterloo Place, Pall Mall. S. W.

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